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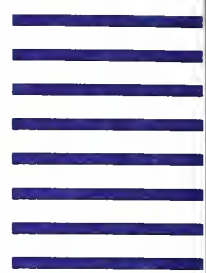
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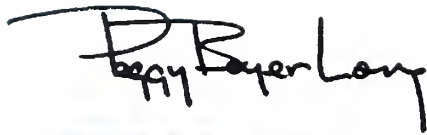
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It's a good time to read, and share, a few good books

by Peggy Boyer Long

We feel downright bookish this month.

Aaron Chambers delves into the literary efforts of a con-man-turned-author for his piece on identity theft (see page 14). In *The Art of the Steal*, Chambers tells us, reformed crook Frank Abagnale explains how to identify, and try to get ahead of, that kind of fraud. But Abagnale's first-hand assessment that it's easy to steal someone else's identity is a sober sotto voce in Chambers' already scary story about officials' attempts to overtake this growing phenomenon.

Robert Kuhn McGregor writes (page 33) that he got John M. Barry's *Rising Tide: The Great Mississippi Flood of 1927 and How It Changed America* as a Christmas present. He passes that gift along. McGregor explores Barry's nonfiction, as well as William Faulkner's fiction, and — believe it or not — Randy Newman's and Led Zeppelin's music in his essay on Americans' enduring belief that we can tell water what to do.

Ryan Reeves is drawn to a more scientific exploration of the Prairie State's landscape. Yet, Raymond Wiggers' *Geology Underfoot in Illinois*, he writes (page 36), is a narrative guidebook, "a tale that stretches back more than a million years and encompasses waterfalls, canyons, inland seas, meteorite craters and, yes, prairie."

Beverley Scobell stays pretty much above ground in her review of *A*

Guide to Illinois Nature Centers and Interpretive Trails. Her description of that more practical guidebook (page 37) suggests a few getaways for Illinoisans.

Bill Knight tips us to a book that hasn't been published yet (page 30). In honor of Women's History Month, he profiles Ruth Robertson, the first female photographer to step onto Wrigley Field, and the first to shoot the world's highest waterfall. Robertson is the subject of a proposed book, as well as a documentary film.

It's a good time, it seems, as this non-winter turns into an uncertain spring, to read, and share, a few good books. I recommend three to mark women's history and black history.

The first was a surprising find. *Images of America: Greek-American Pioneer Women of Illinois* was adapted from a photo exhibit, which never promises a good read. And yet this little volume manages to be compelling. The exhibit was sponsored by the Greek Women's University Club. The book, funded in part by the Illinois Humanities Council and the Illinois General Assembly, was published by Arcadia of Chicago.

It's a compilation of the documentary and photographic histories of five women who arrived in Chicago between 1885 and 1923. But it's the story of all immigrant women of Greek heritage, and their efforts to transcend the hardships they found, to transform — create, really — a community.

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Among the women profiled is state Sen. Adeline Geo-Karis. Those who follow Illinois political figures are likely to be familiar with her story. Gathered all in one place, though, it's an inspiration. Geo-Karis went through Ellis Island at age 4, and, at a time when Greek-American women were discouraged from attending school, she went on to get a law degree. Then join the Navy. The list of firsts is a long one.

Reading about African Americans who settled the western slice of the state is inspiring, too. And surprising. *Black Life in West Central Illinois*, also published by Arcadia, was researched and compiled by Felix L. Armfield, who was a professor of history and African-American Studies in the mid-'90s at Western Illinois University in Macomb. The preface was written by the Rev. C.T. Vivian who grew up in Macomb and went on to work with the Rev. Dr. Martin Luther King Jr. This book also is a collection of photographs and news clippings. But the story is surprising because it recounts the creation of a black community outside Chicago.

The nonurban black community is one theme of perhaps the best book on my short list. *Tell Us a Story: An African American Family in the Heartland*, written by Shirley Motley Portwood and published by Southern Illinois University Press, manages to offer black history, women's history, family history and community history all at once. It's a great read, too. □

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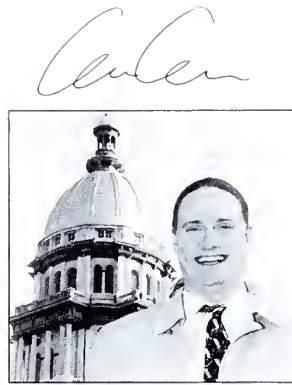
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Credits: Art director Diana Nelson designed this month's cover.

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Robert Steigmann is at the front end of a trend in judicial races

by Aaron Chambers

The signs along the northbound lanes of I-55 near Bloomington look familiar. The series of five Burma Shave-style placards, planted just off the shoulder, resemble others put along roads throughout the state by Gunssavelife.com.

That's no accident. Justice Robert Steigmann is a member of the Champaign County Rifle Association, the Web organization's affiliated group, and he's proud its members helped construct the signs to promote his race for the Illinois Supreme Court.

The signs alert motorists that Steigmann is "tough on thugs" and has "earned your vote." They don't speak to gun owners' rights, and the judge says they were not a deliberate attempt to court pro-gun voters. Nonetheless, he acknowledges that, in as much as his signs mirror the pro-gun signs, they could help make his campaign attractive to voters who care deeply about that issue.

The gun group isn't formally endorsing a candidate in the GOP primary for the high court seat from the 4th Judicial District, which stretches through central Illinois from the Mississippi River to Indiana. Steigmann, an Appellate Court justice, will face incumbent high court Justice Rita Garman, who was appointed and is running to retain the seat in the

He's challenging the traditional notion that judicial campaigns be confined to talk about a candidate's basic credentials.

March 19 primary. The GOP nominee will face Appellate Justice Sue Myerscough, a Democrat, in November.

Still, Richard Klein, the gun group's immediate past chair, says members prefer Steigmann's stance on gun issues over Garman's because Steigmann appears to be more of a "strict constructionist" when it comes to the Second Amendment right to keep and bear arms. And he says the connection between Steigmann's name and the gun group's signs — there are 35 sets placed strategically alongside roadways in high-traffic areas — is clear.

"I think that it's obvious that the public will recognize an association: 'Gee, this guy must really be endorsed by the gun people.' And the public can come to whatever conclusion they

want," Klein says.

Indeed, that association helps put Steigmann at the front end of a trend in judicial races: campaigning on substantive — and sometimes controversial — issues that are dear to some voters. He's challenging the traditional notion that a judge keep a low profile.

To be sure, Steigmann's combative nature has made plenty of folks in legal circles uneasy. The Illinois State Bar Association, and its members in the 4th District, rated Steigmann "not recommended" for the high court. But as far as he's concerned, more dialogue about his personal views is a healthy addition to the elective process.

"It's almost an insult to voters to conduct a campaign for the bench, as has been done so often, on a resume and a smile, essentially saying, 'This is what I've done in the past. I'm a nice person. Vote for me,'" Steigmann says. "Under the robes, we're just people. And it seems to me that the voters have a right to know what are our fundamental values and judgments and beliefs."

The move toward issue-based judicial races is, in a sense, consistent with a national trend toward more contentious races for the bench in states where judges are elected. Supreme Court races here and in other states have in recent years become more expensive, with special interests playing a greater role in campaign financing. And, as is the case with Steigmann, candidates are going further to stake out positions on controversial issues.

Critics worry that more rhetoric from judicial candidates can compromise the candidates' impartiality once on the bench and, ultimately, the judiciary's integrity. After all, judges are charged with interpreting and applying the law to specific fact situations. Unlike legislators, they do not represent the people; they represent the law.

But judges still must win election and, as long as that's the case, judicial candidates will do what they have to do to get elected. Like nonjudicial candidates, they form grass-roots organizations, mount campaigns

that raise and spend money, and make statements in order to connect with voters.

The Illinois Supreme Court's rules governing campaign conduct for judicial candidates were designed with this elective system in mind. They forbid candidates from making statements that would commit or appear to commit them with respect to cases that could come before the court. Outside of that, judicial candidates have wide latitude to talk about their beliefs.

In a concurrence to the rule, now-retired Justice James Heiple wrote that, "Realistically speaking, it is not enough for the judge or candidate to merely give name, rank and serial number as though he were a prisoner of war. Rather, the public has a right to know the candidate's core beliefs on matters of deep conviction and principle."

But the storyboard signs are just the beginning for Steigmann. He's publicly calling for the right to carry concealed weapons in Illinois. He has lobbied the General Assembly on other issues, in some cases drafting legislation. And he has run a television commercial featuring Chief Illiniwek, the controversial University of Illinois mascot, to promote his campaign. He says the university should keep the Chief, despite complaints from critics that doing so is insensitive.

He has publicly attacked several of the high court's policies — also an unprecedented practice in judicial politics. And he's pledged to shed light on the court's "secretive" practices.

He says the court, which administers the state's judicial system, should require all judges to expedite cases involving child custody. The court in January launched a committee to study how child custody cases could be expedited. Garman, Steigmann's primary opponent, is a court liaison to the committee.

Steigmann also has his own weekly talk radio show based in Springfield. As he notes, he's been talking for years about many of the issues that are central to his campaign.

For her part, Garman doesn't express concern over Steigmann's name

recognition. She is running a more conventional campaign, complete with a strong organization and endorsements from such top Republicans as U.S. House Speaker J. Dennis Hastert and former Gov. Jim Edgar. Like Steigmann, she is traveling extensively, attending community functions throughout the 30-county district.

And she won't accuse Steigmann of violating court rules, though she suggests his behavior is inappropriate. "I play by the rules. I don't believe Rule 67 is a suggestion; it's a rule," she says. "If a Supreme Court candidate doesn't play by the rules, I don't know how we can expect anybody to play by the rules."

As for Steigmann's unusual practice of lobbying, she says, "If you want to draft legislation and get it passed, you ought to run for a legislative position. That's what legislators do."

Steven Lubet, a professor at the Northwestern University School of Law and co-author of the definitive resource on judicial ethics, says Steigmann is in the clear.

Specifically with regard to Steigmann's call for a concealed carry law, Lubet says he hasn't indicated how he would rule on a case involving such a law, and "discussing the advisability of legislation" is permitted. Lubet says judges can make statements about improvement in the law, the legal system or the administration of justice.

He says lobbying also is acceptable under court rules. "Judges are good at that; they are on the front line and it's generally understood that they have expertise about how the law could be improved."

It's up to the Judicial Inquiry Board and the Illinois Courts Commission to decide whether Steigmann's conduct violates judicial canons. If the board believes he has swayed too far, it will charge him. The commission then would decide whether he should be sanctioned.

In 2000, former Justice S. Louis Rathje accused an opponent of violating court rules to win votes. Rathje was appointed to the high court in 1998 to finish the last two years of another justice's term. He then ran for the seat.

During the three-way GOP primary race for Rathje's seat, Bob Thomas disclosed that he is against abortion. That position, and the unusual nature of the statement by a judicial candidate, was widely publicized. Thomas' campaign also distributed fliers tagging Thomas as the only candidate endorsed by anti-abortion groups. His victory in the largely Republican district, west of Cook County to Iowa and north to Wisconsin, was attributed by some to that statement and his name recognition as a former Chicago Bears kicker.

Thomas says he first disclosed his anti-abortion stance in response to a reporter's question and that the comment was not part of his campaign strategy. He says he made clear that he would make decisions based on the facts and the law, and, as such, thought there was nothing wrong with circulating his anti-abortion position.

"I guess up to that point, candidates didn't say they didn't have personal views; they said they couldn't talk about personal views," he says. "That seemed pretty ridiculous to me that you couldn't speak on a matter of core values." Asked whether the anti-abortion statement helped him win, Thomas says: "I don't know the answer to that."

So if judges are supposed to abandon their personal views once on the bench, is it appropriate for a judicial candidate to divulge those views when voters likely will weigh them in deciding which candidate to vote for?

Steigmann says sure. He says core values do play into judicial decision-making, though he's not as bold when asked to be specific. He cites his support of the First Amendment and his fair approach to cases as values that impact decision-making. Any judicial candidate likely would embrace those two "values."

Besides, he says, courting voters with messages not necessarily relevant to decision-making — such as Chief Illiniwek — is fair political game. "It's to make people who see the commercial like you or like what you're saying," he says.

Judicial candidates are playing hardball. And Steigmann is playing the hardest. □

BRIEFLY

FROM THE TRAIL

ARTFUL EXPEDITION

Kenneth Holder was inspired by Stephen Ambrose's account of Meriwether Lewis and William Clark's 1804 "Voyage of Discovery" up the Missouri River and across the Rocky Mountains to the Pacific Ocean.

But Holder did more than follow their trail; he painted it.

In 1996, he retraced the expedition, interpreting the landscape as it is today. The results of his "personal voyage of discovery" — 61 of his



Kenneth Holder painted this 48-inch by 72-inch acrylic on canvas in 2000. The large formation in the background is Lewis Rock, located in southwest Montana, where the forks of the Gallatin, Jefferson and Madison rivers converge to form the Missouri River.

paintings, the largest number from his trail project to be displayed at one time — are on exhibit at the Illinois State Museum through April 14 in a presentation called *Kenneth Holder: Paintings from the Lewis and Clark Trail*.

"These watercolors and paintings are of the trail as I've seen it," says Holder, "parts of it relatively unchanged since Lewis and Clark, and parts of it that today surely would be unrecognizable to them."

Beverley Scobell

Officials debate expansion of DNA crime testing

Prosecutors want more inmates to be subjected to DNA testing, arguing the genetic records could help solve more crime. And some inmates want greater access to DNA testing, arguing test results could prove innocence.

This state could get both.

Legislation moving through the General Assembly would require all convicted felons to submit DNA samples. Such tests would be analyzed and the resulting genetic codes would be stored in a State Police-maintained database.

"If somebody has committed

a felony, I want to use every bit of scientific evidence I can to solve that crime," Illinois House Minority Leader Lee Daniels told his colleagues during floor debate. The Elmhurst Republican is sponsoring the bill. "On the other side of the coin, I also want to have every bit of evidence available to some person that may have been wrongly convicted."

Under current Illinois law, sex offenders must submit to DNA tests (see *Illinois Issues*, January, page 6). Law enforcement officials also must retain DNA evidence in certain cases

until the prisoner completes his or her sentence.

DuPage County State's Attorney Joe Birkett, a GOP candidate for attorney general, is pushing the proposed change in that law. It would permit DNA tests to be taken from saliva or tissue samples, which would be less intrusive than the blood samples that are now taken.

Daniels' measure was approved by the House 112-1. It is now in the Senate.

Meanwhile, the Illinois attorney general's office is exploring ways to make DNA testing more widely

GOV'S ACTION

Terrorism, open meetings, phone tax

- Gov. George Ryan called for changes in an anti-terrorism package that would make terrorists who murder eligible for the death penalty and would beef up investigatory powers of law enforcement officials.

Ryan objected to the death-eligibility language. He said he will approve the measure if the legislature cuts that provision and makes other enumerated changes.

The governor imposed a moratorium on executions in this state two years ago and formed a commission to study capital punishment. As a result, he was expected to object to the legislature's vote to expand the death penalty law.

In a message to the legislature, Ryan wrote that the move to expand the list of factors that make murderers eligible for death is premature. In addition, he said terrorists are already eligible for death under Illinois law, which provides 20 aggravating factors, including committing murder in the course of another felony and committing murder during a hijacking (see *Illinois Issues*, January, page 12; October 2001, page 30).

"In fact, it would be difficult to imagine a scenario under which a terrorist act resulting in death would not already qualify for capital punishment

under our current statute," Ryan wrote. "Moreover, terrorism is currently a death-eligible offense under federal law, making this provision of the bill redundant in yet another way."

Attorney General Jim Ryan, who is seeking the GOP nomination for governor, crafted and promoted the package during the legislature's fall veto session. He pledges to urge lawmakers to override the governor's veto. That would require a three-fifths majority in each chamber.

- The governor also returned a measure that would have required the officer who presided over a public body's closed meeting to certify that the discussion did not violate the state's Open Meetings Act.

In his message to lawmakers, Ryan expressed concern that a presiding officer would violate the law if he didn't sign the certification. And if the officer did sign, and the meeting violated the law, then the officer would be in violation, the governor wrote.

Ryan also called unreasonable the requirement that the presiding officer certify that he or she understands the Open Meetings Act, which has 23 exceptions under which public bodies can hold closed meetings. He argued presiding officers are seldom attorneys and that such a requirement would deter citizens from volunteering to serve in government. He suggested the term "understand" should be replaced with "have read."

available to inmates who maintain the results would support their claims of innocence.

The state's post-conviction DNA testing law permits prisoners to seek tests that were not available at the time of their trials when the results of such tests would be "materially relevant" to their assertion of actual innocence. Evidence that is materially relevant, the Illinois Supreme Court held last year, is evidence that "tends to significantly advance that claim" of innocence.

The attorney general's office is looking at whether the eligibility standards for testing should be

lowered. "Generally speaking, [Attorney General] Jim Ryan believes that DNA testing should be more widely available to individuals who claim they were wrongfully convicted," says John Farrell, deputy attorney general for criminal justice.

Farrell says the office is seriously considering whether the "not available at the time of trial" standard should include situations in which technology has improved to such a point that a different result might occur from further testing. In fact, DNA technology has significantly improved in recent years, permitting investigators to get results

- Ryan signed a measure to permit local governments to tax wireless phone service providers. The new law also streamlines the process by which the providers pay telecom taxes.

Previous state law was designed to let towns tax wireless phone service providers in the same manner that they tax providers of land-based phone service. But the Illinois Supreme Court last year said towns can't charge so-called infrastructure maintenance fees because wireless companies don't maintain infrastructure on public rights-of-way.

The new provisions were drafted to address the court's concerns. They abolish three separate municipal taxes on phone service providers — the infrastructure maintenance fee, the municipal telecommunications excise tax and the municipal utility tax on telephones — and replace them with a simplified municipal telecommunications tax.

They also direct service providers to pay their taxes to the state Department of Revenue, rather than to individual municipalities. The department must then divide the funds and redirect them to local governments, as it does sales tax revenues.

According to the Illinois Municipal League, the changes will mean at least \$15 million in additional annual revenue for the 400 towns that tax wireless service providers.

Aaron Chambers

from smaller samples of genetic material left at crime scenes.

Also under consideration is whether prisoners should be able to ask for tests on material that simply was not tested during trial, and whether the "materially relevant" standard is too restrictive.

Farrell could not say when the proposal would be finalized and advanced to the legislature.

Ryan is a GOP candidate for governor.

Aaron Chambers

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BRIEFLY



WINNING POSTER
Arts Education Week

Emily Schoolmeesters, a senior at St. Charles East High School, designed the winning poster in this year's contest for Illinois Arts Education Week, which runs March 11-17. The contest was sponsored by the Illinois Alliance for Arts Education.

Schoolmeesters mixes words and images to convey her relationship with the arts. "My idea was to create a dynamic image incorporating materials I had not used before," she says. "The wide variety of colors on the poster represents the importance of creativity, individuality and knowledge of life that makes up each person."

The Illinois State Board of Education will send a copy of the poster to every school. And it will be part of a window display at Marshall Field's State Street store in Chicago throughout March.

Other events highlighting arts education are listed on the alliance's Web site at www.artsmart.org. *Beverley Scobell*

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UPDATES

• United Airlines reached a tentative agreement with union mechanics that will give those employees their first payraise since 1994 (see *Illinois Issues*, February, page 24).

• The U.S. House approved a ban on so-called "soft money" contributions to national political parties (see *Illinois Issues*, January 1999, page 21, and February 1997, page 32).

• The U.S. Senate voted to increase subsidies to grain farmers, but limit individual payments, a plan that must be worked out with the House (see *Illinois Issues*, November, page 14).

EDUCATION SUMMIT

Would higher pay attract and keep more teachers?

Educators, lawmakers and business leaders highlighted a need to raise teachers' salaries at the final meeting of the governor's education summit.

More than 100 participants took that and other suggestions back to the groups they represent, which began refining a list of recommendations for Gov. George Ryan.

Despite a tightening budget, the governor and the General Assembly could consider some of those recommendations this spring.

Ryan called on summit participants to explore solutions to a growing teacher shortage in this state's public elementary and secondary schools and to find ways to improve the quality of teaching in Illinois. His deputy for education, Hazel Loucks, says the first order of business was to find areas of agreement.

"I feel we came closer to a consensus than we ever imagined," she says.

The State Board of Education reported that more than 2,600 teaching and administrative positions went unfilled in Illinois in the fall of 2000. The teaching shortage widened in that year. The state issued about 13,000 education degrees, but 27,000 working teachers became eligible for retirement.

One possible solution to the teacher shortage, summit participants suggested, would be to allow retired teachers to return to classrooms without penalty to their pensions, and to eliminate some early retirement incentives in order to keep teachers in the classroom longer.

But raising salaries was seen as key to attracting and keeping quality educators. "It's a competitive job

market," says Frank Llano, manager of the teaching and leadership department at the State Board of Education, who attended the summit. "We're like any business in danger of losing people to higher-paying jobs."

Illinois' geographic diversity affects salaries, too. "I would submit that we don't have much of a teacher shortage in the suburbs where salaries are higher, but it's worse downstate and in Chicago," says Llano.

A report issued late last year by the Governor's Council on Educator Quality would appear to support that notion. It noted that the average teacher salary in Illinois is \$46,505. While that average ranks ninth nationally, there is significant variation within the state. For example, in the 1998-1999 school year, beginning Illinois teachers who held bachelor's degrees had starting salaries of between \$16,485 and \$38,097, depending on the school district.

Though salaries are set locally, summit participants urged state support — possibly as much as \$100 million — to boost teacher compensation.

The sluggish economy is likely to short-circuit that suggestion. Still, Gov. Ryan encouraged the long view.

"I think you have to continue to plan ahead," he said shortly after addressing the group. "You can't stop because of a shortage of dollars. I don't know what the financial picture is going to be a year from now, so the recommendations that come out of here may not be implemented immediately. But maybe later on."

Tom Weber
Statehouse reporter
WUIS/WIPA

More turnover at the State Board of Education

Ernest Wish resigned as interim state superintendent of schools after he declined to sever consulting ties to a Chicago insurance executive who is under federal indictment on fraud charges.

The board's request that Wish stop working for Michael "Mickey" Segal, president of Near North Insurance Brokerage Inc., came shortly after Segal was charged with fraud related to a trust account alleged to have a \$20 million deficit. But Ronald Gidwitz, State Board of Education chairman, says his concern was that Wish should not conduct any outside work during his tenure for the board. He says he and Wish miscommunicated about whether Wish would continue consulting work while acting as state schools chief.

Wish, who spent 17 years as managing partner of the Chicago office of the Coopers & Lybrand accounting firm, came out of retirement in November to work with Glenn "Max" McGee, whose contract as state schools chief expired at the end of last year. He had asked that his contract not be renewed.

At that time, McGee was retained by the board until June at his regular rate of pay to conduct research on the "achievement gap" between low-income and high-income school districts. That research is being conducted at Northern Illinois University's Center for Governmental Studies in DeKalb. On July 1, McGee will become superintendent of Wilmette elementary schools.

The board named its general counsel, Respcio Vazquez, to serve as interim superintendent until it settles on a permanent one.

Following Wish's departure, the board carried out plans for a reorganization that will cut 60 employees from the 753-member state board staff by June.

Maureen Foertsch McKinney

QUOTABLE

“The idea is that the economy may be down, but there is still a high demand for teachers.”

Carlos Ponce, chief of human resources for the Chicago schools, to The New York Times, explaining that district officials hope to lure new teachers with an advertising campaign depicting teaching as a recession-proof career. The newspaper reported February 11 that school officials throughout the country are seeing more people seeking jobs as teachers because of the "sinking economy and a wave of soul-searching after the Sept. 11 attacks."

New Higher Ed chief

The Illinois Board of Higher Education looked to a suburban community college for its next leader.

The board selected Daniel LaVista, president of McHenry County College in Crystal Lake, to take over as its executive director May 1.

LaVista will replace Keith Sanders, who is retiring at the end of May after four-and-a-half years.

Board Chairman Philip Rock described LaVista's stature, integrity and record of achievement in higher education as his major qualifications.

LaVista has been president of McHenry County College since 1997. For the two years prior to that, he was chancellor of Community Colleges of Baltimore County in Maryland. He also was president of the College of Lake County for eight years.

He has a doctorate degree in speech and dramatic arts from Syracuse University in New York and a master's degree in English literature from the University of Dayton in Ohio.



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PRESS BOX

Reporters take closer looks at Illinois First and legislative initiative spending

The Chicago Sun-Times reported that three Chicago Democratic lawmakers steered at least \$90,000 in so-called "member initiative" grants to a questionable job-training program at the urging of Secretary of State Jesse White.

The legislative grants come from a pot of money that was set up when Gov. George Ryan was looking for votes for his \$12 billion Illinois First infrastructure program.

Reporters Tim Novak and Dave McKinney reported on January 18 that the largest legislative grant to the training program was \$50,000 from state Sen. Rickey Hendon. Smaller grants came from state Reps. Shirley Jones and Howard Kenner.

Altogether, Infinity Cultivation Center — set up by White's former secretary Donna Lumpkins Floyd to train welfare mothers to become office workers — has received \$175,000 in state grants since 1998, shortly before White became secretary of state, according to Novak and McKinney. But now, state officials want at least \$100,000 back because there is no evidence anyone was trained.

"It's a huge amount of money not to be able to account for," White's spokesman Dave Druker told the *Sun-Times*. "He feels very badly about the apparent loss of revenue. He feels somewhat betrayed. He feels like a victim here, too."

As for the legislative initiative money, the *Sun-Times* quoted Hendon as saying, "Jesse brought her to my office in Springfield."

The State Journal-Register of Springfield reported that the Illinois Department of Commerce and Community Affairs, which handles most of the legislative initiatives, has asked Attorney General Jim Ryan to pursue repayment of about \$200,000 of a \$750,000 Illinois First grant that went to a Chicago-based cultural group called the International Visitors Center.

Dean Olsen wrote that House Speaker Michael Madigan obtained the grant for the group.

In his January 27 explainer on Illinois First and the legislative initiatives, Olsen wrote that, so far, the Department of Commerce and Community Affairs is responsible for 7,100 legislative initiative grants from Illinois First, "and the agency has enough staff to monitor 10 percent of the grants — some at random."

The Chicago Tribune reported that in just three years lawmakers, aided by Gov. George Ryan, have "commandeered" nearly \$1.5 billion to bankroll a "secretive, taxpayer-funded spending machine for pet projects that have benefited cronies, relatives, favored religious groups and private agencies the legislators help run."

In their February 3 analysis, reporters Ray Long, Andrew Zajac and Ray Gibson wrote that many of the grants "raise questions about fairness, conflict of interest and separation of church and state." In many cases, they reported, recipients have returned the favor by giving campaign cash to their legislative benefactors.

Legislators have refused to freeze the initiative grants, despite a growing state budget crisis; the reporters quoted House Speaker Michael Madigan at a closed-door meeting in January telling Gov. Ryan, "That's my money. You can't touch it."

Among the projects these reporters cited were grants that financed overseas field trips for the offspring of lawmakers; a museum honoring Italian-American sports figures; in-line skating equipment and a teen arcade at a suburban YMCA; tutus for a McHenry County youth dance group; and oriental massages and herbal treatments for AIDS patients.

"Lost amid the orgy of check writing," they reported, "is any public discussion of the appropriate use of tax money."

COURT DOCKET

- Recognizing broad immunity for school districts even when they are negligent, the Illinois Supreme Court ruled a Clinton school district can't be sued for failing to provide proper safety equipment during gym class.

Clinton High School student Jeremy Arteman fell and broke his leg while roller blading in gym class in 1998. He and his father sued Clinton Community Unit School District No. 15, alleging the district negligently failed to provide roller-blade safety equipment for students.

The Dewitt County Circuit Court ruled that state law shields the district from liability, and the Illinois Supreme Court affirmed the decision. The high court said the state's tort immunity act, as the legislature wrote it, protects local public entities in their "discretionary policy determinations."

"We acknowledge that, under this view of the act, a school district would enjoy immunity if, for example, it provided its football players with leather helmets or, worse yet, no helmets at all," Justice Thomas Fitzgerald wrote for the court. "Public policy considerations weigh strongly against any interpretation of the act which would relax school districts' unstinting, but not unreasonably burdensome, duty to provide safety equipment to this state's public school children."

The court, in *Arteman v. Clinton Community Unit School District No. 15*, urged the legislature to revisit this area of the law.

Jim Collins, executive director at the Illinois Trial Lawyers Association, says his group is reviewing the decision to determine whether to push legislation to make school districts liable. "It probably won't be this year, but we'll look at it."

- A federal court invalidated a state law designed to protect the liquor empire of William Wirtz.

The 1999 law made it more difficult for a liquor manufacturer to fire a distributor. Wirtz, who also owns the Chicago Blackhawks and half the

United Center, owns liquor distributorships in Illinois and four other states.

U.S. District Judge Joan Gottschall ruled in *Kendall-Jackson Winery Ltd. v. Leonard L. Branson, et al.* that the law violated the U.S. Constitution's Commerce Clause "and is therefore unconstitutional, null, void and unenforceable."

A spokesman for Wirtz says there's no immediate plan to resurrect the law in appellate court or the legislature.

- Attorneys for sexual predators held in civil confinement hope a U.S. Supreme Court decision will mean early release for their clients.

To keep an offender in civil confinement as a sexually violent person after his criminal sentence expires, Illinois law requires that prosecutors prove he or she has a mental disorder and is dangerous to others because the mental disorder "creates a substantial probability that he or she will engage in acts of sexual violence."

The U.S. Supreme Court said in *Kansas v. Crane* that prosecutors also must show the offender has "serious difficulty in controlling behavior" to satisfy terms of constitutional due process.

Stephen Potts, an attorney for pedophile Steven Ehrlich, says that's an element not required by this state's law. Because the statute doesn't require that prosecutors prove an offender lacks volitional control, he says, the law is unconstitutional.

Ehrlich and at least one other sexual predator are challenging the law in Cook County Circuit Court.

But Kelly Collins, chief of the sexually violent persons bureau at the Illinois attorney general's office, says the "serious difficulty" language is no stronger than language the high court articulated in 1997, and that prosecutors have been proving that all along.

She says the decision won't mean early release for the 100 sexual predators held in civil confinement in this state, or for the 75 people detained and awaiting hearings on whether they must be confined. *Aaron Chambers*

COURT PANEL

No more Baby Richards?

The Illinois Supreme Court charged a 15-judge panel with finding better ways for state courts to handle child custody and adoption cases.

The committee, including judges from throughout the state who have experience in such cases, was told to find ways to streamline trials and appeals. Cook County Appellate Judge Alan Greiman will chair the group, which is expected to review legislative and judicial procedures.

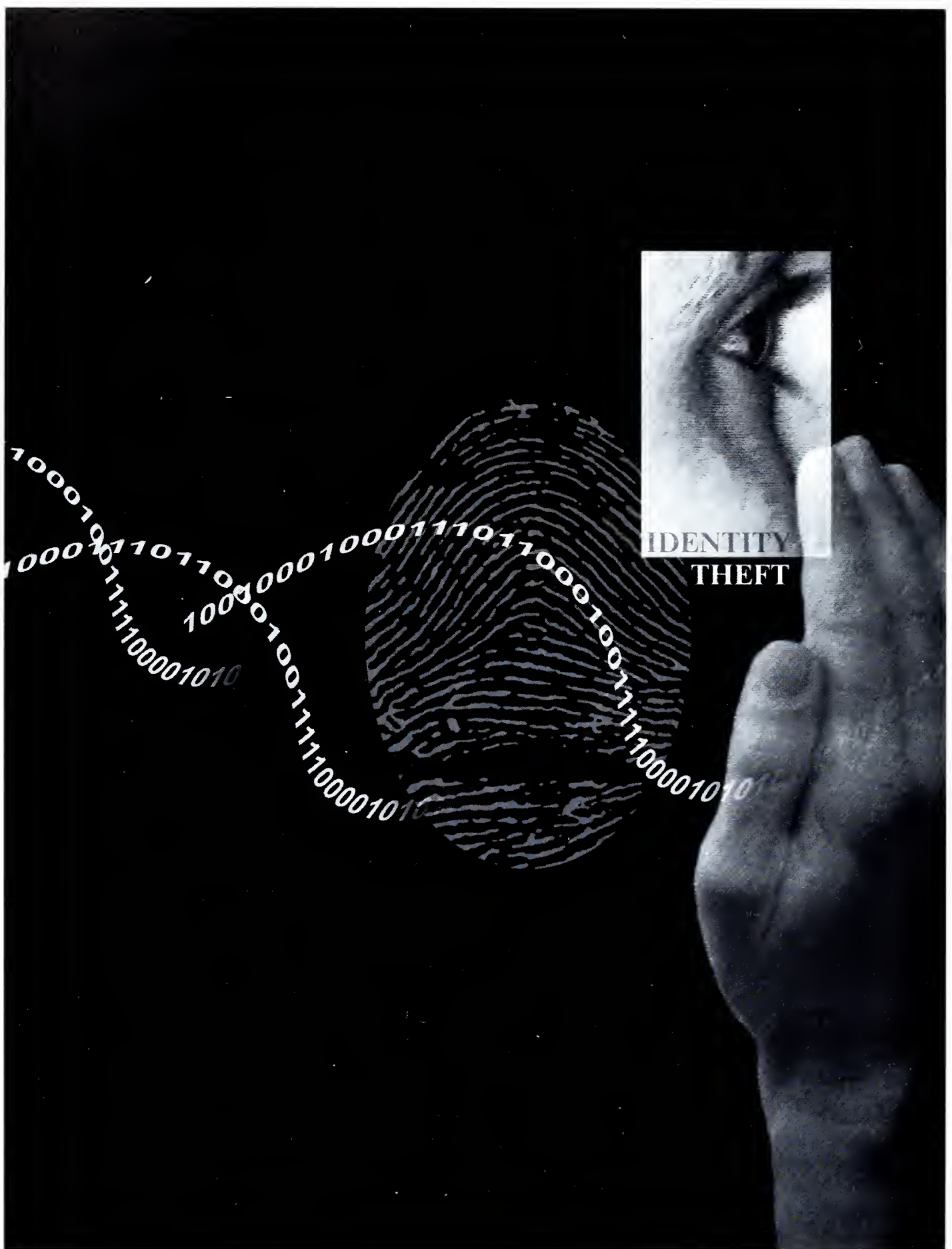
Diane Geraghty, director of the Child and Family Law program at Loyola University's law school, says she hopes the group will focus on "heeding a child's sensitivity to timing, and prioritizing these cases depending on the consequences for each child."

One way to expedite cases might be to make the system uniform. Variations in law exist depending on which court gets a case, Geraghty notes. The group, she says, might study how custody-related cases in the various divisions of the Circuit Court system are coordinated — or not coordinated.

A growing number of states are instituting a family court system to ensure consistency. An experiment in family court is under way in DuPage County and parts of Cook County.

In the past decade, Illinois has been at the heart of a national debate on child custody, most noticeably over the "Baby Richard" case. In that case, adoptive parents lost custody to the biological father, who had not been given an opportunity to consent to the boy's adoption.

Maureen Foertsch McKinney



He who filches your good name

Identity theft isn't likely to lighten your purse by much, but you could spend years rebuilding your reputation. That's why it's the top consumer complaint. Corporate and political leaders are taking note

by Aaron Chambers

Daniel Parrilli created his own little business. He even created the customers.

Parrilli applied for credit cards in fictitious names. Then he set up a sham company and secured a credit card terminal. He processed transactions through the terminal using the bogus cards and deposited the sales credits into bank accounts set up with the aliases. For a while, he paid minimum balances on the cards to keep them in good standing.

By the time investigators caught up with Parrilli two years ago, he had raked in an estimated \$600,000. He had purchased property, vehicles and a boat for himself and his family.

"It never ceases to amaze me the ingenuity of people in how far they'll go to create schemes," says Victor Demtschenko, a postal inspector who investigated the case. "The effort that's put forth by some white-collar criminals is amazing. This guy, besides working a full-time job, was full-time involved in fraud."

Parrilli was diligent at executing his schemes. In his Carol Stream home, investigators found files for each of the fictitious identities he had created, complete with corresponding credit cards — about 250 — and copies of credit card applications. "He had backup documentation for everything, which was really nice for us," Demtschenko says.

Parrilli had worked as a credit manager for a major department store. When he left that job, he took some 30 credit

reports. He then paired Social Security numbers from those reports with phony names, creating the 24 aliases he used to get the credit cards.

One of his victims complained to the Social Security Administration that his Social Security number was being used by somebody else. That led the agency's investigators, and those of the U.S. Postal Inspection Service, to Parrilli.

"We know of at least one individual whose credit history was so badly damaged by what [Parrilli] did that he had to get a new Social Security number and start all over," says Edmond Chang, the assistant U.S. attorney prosecuting the case.

Next month, Parrilli is scheduled to appear in federal court for sentencing. He pleaded guilty to unlawful possession of credit cards with the intent to defraud, mail fraud and bank fraud and faces up to 45 years in prison and \$750,000 in fines. Parrilli's attorney, David Centracchio, didn't return a phone call for comment.

But Demtschenko offered this limited praise for Parrilli's technique, if not his work: "It was primarily identity theft that he did, and he was damn good at it."

Identity theft, a type of financial fraud that has garnered great publicity lately, is real. And it's growing. Enterprising criminals have turned to stealing people's names and personal identifiers in an effort to make easy money.

While the monetary losses incurred by identity theft victims usually are relatively small, those victims nonetheless must

spend time — years, in some cases — and dollars to clear their credit ratings. In some cases, they must fight to clear criminal records created in their names. As some in the law enforcement community loosely put it, these victims are often presumed guilty, and it's up to them to repair their reputations.

Using somebody else's identity to commit fraud is nothing new. But these days, personal information is more readily available through such electronic means as the Internet. The technology available to thieves is more sophisticated, and credit card companies are more aggressive in their marketing campaigns — filling mailboxes across the country with preapproved plastic that can readily be stolen.

While banks and other financial institutions are launching efforts to educate their employees and the public about the risks of identity theft, lawmakers in Springfield and Washington, D.C., are crafting legislation designed to make it more difficult for criminals to tamper with other people's identities, and to provide stiffer penalties when they do.

There's good reason. The Federal Trade Commission, which fields complaints about identity theft, calls it the No. 1 consumer fraud complaint nationwide. State and federal law enforcement officials say they are seeing more cases, and that the schemes are growing more elaborate.

For reasons that aren't clear, Chicago ranks No. 2 in the nation for identity

The Art of the Steal

Frank Abagnale says it's easy to steal somebody else's identity. He would know: As an identity thief he was one of the best.

While a young man, he traveled the world on a spree of forgery, fraud and impersonation, writing more than \$2.5 million in bogus checks.

He was caught, but the crime paid. After spending five years in prison, Abagnale became a consultant for the FBI. Today, more than 25 years later, he travels extensively and lectures at the bureau's training academy. And he has a successful secure document consulting firm. (He insists, though, that he's never taken "one dime" from the bureau in compensation for his services or travel expenses.)

He's also writing books. His latest, *The Art of the Steal*, explains how to identify, and try to get ahead of, perpetrators of fraud. The 225-page book, published last year, covers forgery, counterfeiting, bank fraud, embezzlement and identity theft.

"At the beginning, someone stole your identity because he wanted to get a credit card in your name," Abagnale writes. "These days, he'll say, 'Wait a minute, I'll get a car loan in your name. Wait a minute, I'll get a mortgage in your name. Wait a minute, I'll assume your entire identity and get a job in your name and you'll have to pay the taxes.'"

Abagnale's other book, *Catch Me If You Can*, is about his years as a crook. Steven Spielberg is making that story into movie, set to premier in November.

Aaron Chambers

theft complaints per capita. John Mahoney, deputy supervisor of the governmental and financial crimes unit at the Cook County state's attorney's office, calls identity theft the fastest growing white-collar crime. "Nobody needs to go out and do a stickup anymore," he says. "With the stroke of a pen, you can steal a hundred times more than in a typical armed robbery. So people are in that game."

In fact, the trade commission reported in January that identity theft accounted for 42 percent of consumer fraud complaints last year. Other categories included Internet auctions (10 percent), Internet services and computer complaints (7 percent) and shop-at-home and catalog offers (6 percent).

In Illinois, identity theft comprised 49 percent of consumer fraud complaints last year, according to the commission. There were 3,784 identity theft complaints in this state, 1,453 of them in Chicago, 61 in Naperville, 46 in Evanston, 46 in Oak Park and 45 in Aurora.

Most identity theft complaints in this state — 1,647 — were related to credit card fraud. The remaining complaints were related to unauthorized phone or utility services (844 complaints), bank fraud (469), employment fraud (406), loan fraud (293) and government documents or benefits fraud (263). The trade commission put 945 complaints in the "other" category.

"Generally speaking, identity theft isn't a stand-alone crime," says Robert Gray, a special agent with the U.S. Secret Service and spokesman for the service's Chicago office. "They're going to use that crime to springboard into other crimes, whether it be credit card fraud, access device fraud, bank fraud, what have you."

The General Accounting Office, Congress' investigative arm, is wrapping up its report on identity theft. Richard Stana, director for justice issues at the GAO, was researching the report, which was expected to be published in late February or early March. While Stana wouldn't discuss his conclusions, he shared some statistics he had gathered during prior research. Among them: Only Washington, D.C., beats Chicago in complaints of identity theft per capita.

Chicago is followed by Houston and Los Angeles.

Stana wouldn't speculate on why these cities made the top of the list, and key law enforcement officials in this state and in federal posts were stumped when asked to explain Chicago's ranking. But a few ventured guesses. Chicago is the nation's third-largest city, but the rating is calculated per capita, so size doesn't matter. Chicago also has a strong information technology community, flush with tech-savvy entrepreneurs, so that city's residents might be prime candidates for identity theft.

Stana also was willing to offer statistics on the most likely targets of fraud. About 25 percent of identity theft victims, he says, are between the ages of 19 and 30, and about 50 percent are ages 31 to 50. Fewer complaints than might be expected come from seniors and teens. "I guess it's like the old Bonnie and Clyde thing. Why do you rob banks? Because that's where the money is."

Moreover, Stana says, all indicators show that identity theft is growing. "It's almost the perfect crime of the 21st century because we live in an information age where your personal identifiers — your name, Social Security number, date of birth, mother's maiden name — are probably more valuable than your wallet or your purse," he says. "They open up the possibility of a financial crime that exceeds what most people would ever carry around with them, or even keep in their house."

Still, he notes that in most identity theft cases the amount of money the victim loses is relatively nominal. In most instances, either the financial institution or the merchant makes up the loss. (Of course, those losses are passed on to consumers in the aggregate.)

VISA, for example, has a zero liability policy, meaning it and/or the issuing bank will cover 100 percent of a card holder's loss due to identity theft. Thomas Kelly, a spokesman for Bank One, the largest issuer of VISA credit cards, says such protections make identity theft more frustrating than anything else. "There are hurdles you have to work through, but you probably will not be hurt financially," he says.

Still, victims of identity theft

What can you do?

There are steps consumers can take to minimize the risk of identity theft. Here are recommendations from the Federal Trade Commission, which fields identity theft complaints:

- Reveal personally identifying information, such as your Social Security number and mother's maiden name, only when absolutely necessary. Ask the party requesting the information who will have access to it, whether you can control its use and whether it can be kept confidential.
- Pay attention to billing cycles. Follow up with creditors if bills don't arrive on time. If one is missing, that could mean an identity thief has changed your billing address to cover his tracks.
- Deposit outgoing mail in post office collection boxes or at the post office. Promptly remove incoming mail from your mailbox. If you're planning to be away from your residence, call the U.S. Postal Service at (800) 275-8777 and request a vacation hold.
- Minimize identification information and the number of identification cards you carry.
- Don't divulge personal information on the phone, through the mail or over the Internet unless you have initiated the contact or know whom you're dealing with.

And if your identity is stolen:

- Contact the fraud departments at the three major credit bureaus, say you're an identity theft victim and ask that a "fraud alert" be placed on your file. Also request a victim's statement, which directs creditors to call you before opening any new accounts or changing your existing accounts.
- Contact creditors for any accounts that have been tampered with or opened fraudulently. Creditors can include credit card companies, phone and other utility companies, and banks and other lenders.
- File a police report in the community where the identity theft took place.

These recommendations are available at www.ftc.gov/bcpl/conline/pubs/creditlidtheft.htm#victim.

Here are the credit bureaus, phone numbers for their fraud departments and their Web sites:

Equifax, (800) 525-6285, www.equifax.com;

Experian, (888) 397-3742, www.experian.com;

Trans Union, (800) 680-7289, www.transunion.com.

Aaron Chambers

Packs of identity thieves tend to operate around a single person at the center of the conspiracy. In a typical case, the boss gathers information regarding people's financial identities from co-conspirators then uses the co-conspirators to exploit the information using sham credit cards or checking accounts.

complain about feeling violated, much as they would after being mugged. "It's not so much that they were out thousands of dollars, although there are a few cases like that, but it's just this sense that somebody's got their name, somebody's using their good name, and that's a real uneasy feeling," says Stana.

And there's the headache of trying to repair credit and getting the state to absolve any criminal record that was created in the identity theft victim's name. According to a report released in 2000 by the Privacy Rights Clearinghouse and the California Public Interest Research Group, identity theft victims spend an average of 175 hours and \$808, not including legal fees, in their efforts to clean up their credit ratings. Fifteen percent of the respondents said they were under criminal investigation or had warrants for their arrest as a result of the identity theft.

Some fraud schemes are relatively straightforward, while others, like Parrilli's credit card scam, are more elaborate. Fast becoming one of the most common types of identity theft, according to law enforcement officials, is a practice called "skimming." In a typical case, a restaurant waiter swipes

a customer's credit card through a "skimmer," a handheld electronic device about the size of a pager, when he or she processes the customer's check. The skimmer then stores all the identifying information that is contained on the card's magnetic strip, including name and account number. (A skimmer can be purchased over the Internet for \$200 to \$300.) Later, the names and account numbers are downloaded to a computer, where they can be copied onto other, generic cards and used to make purchases. Even without a generic card to hold the information, the identity thief can use the card holder's information to make purchases over the phone or the Internet.

Law enforcement officials describe even more complex schemes involving forged documents, such as death certificates. Such a case could involve using the identity of a recently deceased person to get credit or a loan. It can take months for the three major credit bureaus, Equifax, Experian and Trans Union, to learn of a death.

Some scams get more outrageous. In January, the Illinois attorney general's office indicted four people in connection with an alleged scheme to defraud mortgage lenders by buying nine dilapidated properties — all but one on Chicago's South Side. The foursome allegedly secured mortgages in other people's names and directed the borrowed funds to themselves, as property sellers, then tried to run with the money. The fraud was worth nearly \$1 million.

Edward Carter, assistant bureau chief of the financial crimes unit at the Illinois attorney general's office, says two of the inditees worked for a mortgage broker and sent completed loan packages to the mortgage lenders. He says those packages were filled out with stolen or bogus names and the purported borrower's personal information, such as work history.

"What's happened here is the mortgage lender's first line of defense, the mortgage broker, has been breached because there's nobody doing the quality control to ensure that the lender was getting real people who were credit-worthy," Carter says. "So those pack-

ages would get sent over there, the loan would be approved and there would be a closing set up. And [the inditees] would simply recruit some people and pay them to show up at the closing as [buyers]."

He says the lenders then would issue checks for the property to the sellers, the inditees.

Thomas Fazy, Julie Fazy, Craig Hendricks and Ruben Walden were charged with conspiracy and theft. Fazy, Fazy and Hendricks also were charged by the attorney general with forgery. In mid-February, Fazy, Fazy and Walden were still at large, with warrants pending for their arrests. Hendricks surrendered; his attorney, David Daudell, didn't return a phone call for comment.

Mahoney, the Cook County prosecutor, says identity thieves tend to work in groups, though their efforts don't exactly qualify as "organized crime." That term usually refers to a single individual who controls criminal operations for a large geographic area. Identity thieves, he says, work in "little guerrilla bands that operate two, three, four, sometimes 10 together in coordinated activity."

Still, the law enforcement community has a similar approach to both types of operations: Target the boss.

Mahoney says packs of identity thieves tend to operate around a single person at the center of the conspiracy. In a typical case, he says, the boss gathers information regarding people's financial identities from co-conspirators then uses the co-conspirators to exploit the information using sham credit cards or checking accounts. The co-conspirators are paid for their assistance. "And then, if you can find the person who is making the counterfeit credit cards and you can find the person who is making the counterfeit checks, you cut the head off the conspiracy," he says.

Meanwhile, lawmakers are trying to keep up with the thieves.

State Sen. Lisa Madigan, a Chicago Democrat and candidate for attorney general, is sponsoring legislation to prohibit merchants from printing a credit card holder's full account

number on receipts. The aim is to prevent identity thieves from getting their hands on the information.

Another measure sponsored by Madigan would permit victims of identity theft to have credit reporting agencies freeze their credit files. It also would require the agencies to tag such files with "consumer alerts."

Yet another bill pending in the Senate is aimed at skimming, the practice of copying credit cards with a handheld device. Under that measure, using such a device without the cardholder's permission would become a felony. That proposal is sponsored by Sen. Kirk Dillard, a Hinsdale Republican, and is backed by the Illinois Retail Merchants Association.

At the same time, reports of identity theft have helped fuel an effort in Congress to standardize identification cards in every state. U.S. Sen. Dick Durbin, a Springfield Democrat, is working with the American Association of Motor Vehicle Administrators on legislation that would make driver's license security features uniform.

Durbin says there are three key components to his effort: ensuring that applicants for driver's licenses or other forms of state identification present adequate proof of identity; requiring all licenses and identification cards to display certain information, while making them more difficult to copy or forge; and, ultimately, integrating motor vehicle systems to prevent someone who has been denied a license in one jurisdiction from simply going to another.

Still, Illinois prosecutors say they are comfortable fighting identity theft with state laws that are already on the books. In fact, one 1999 state law to combat financial fraud through the theft of identifiers or documents has

gone largely unused. Prosecutors say they favor other state laws, such as one aimed at forgery, in their prosecution of identity theft crimes. They say the forgery law is sufficiently broad for their purposes and, unlike the identity theft law, has been tested and refined in court.

In interpreting that law, Illinois courts have held that the essence of forgery is knowingly making a document that is apparently capable of defrauding another with the intent to defraud. That interpretation would fit many cases of identity theft — knowingly making a document with the intent to defraud.

"All of these things that are today called identity theft almost could be charged as theft by deception, forgery, computer fraud, wire fraud or mail fraud," says Carter of the Illinois attorney general's office. "Those laws are just as effective, if not more effective, than the new identity theft statute. And one reason we like the old statutes is there's already case law so we know what the statutes really mean."

In addition, prosecutors say a host of other state laws tailored to fit specific crimes are useful in identity theft cases. The Illinois Credit Card and Debit Card Act, for example, provides penalties for using false information to apply for a credit card and for using another person's credit card without permission.

One point to keep in mind, though: Using a hodgepodge of statutes to prosecute identity theft makes tracking instances of the crime, and painting an accurate picture of it, difficult.

"There's really no common definition that everybody subscribes to, and because it often is charged as part of another crime, it's tough to get good statistics and to track incidence and prevalence and cost," says Stana, of the General Accounting Office.

"It historically hasn't been tracked discretely."

In addition to law enforcement and legislation, there are other efforts afoot to curb the rising incidence of identity theft. As the saying goes, education is the key.

The Illinois Bankers Association, one organization fighting the crime, offers a wealth of information on identity theft to its member banks. In June, the group's annual meeting will feature a lecture on identity theft by Frank Abagnale, an ex-convict-turned-consultant.

In his youth, Abagnale traveled the world impersonating people and writing more than \$2.5 million in bogus checks. After five years in prison, he began work as a consultant for the Federal Bureau of Investigation — a job he still holds. In addition, he has written two books, one about his life as a crook and the other an overview on fraud.

Abagnale says consumers need to look out for themselves when it comes to identity theft. For starters, he says, they should limit the personal information they divulge and carry. "Today you have to do your own research, you have to be a little smarter, you cannot rely on the government, laws or police to protect you," he says.

As for legislation, the ex-con would tighten privacy laws so that personal information is less accessible. He's not impressed with such efforts as Durbin's to standardize identification cards and make them harder to forge.

"A system is only as good as the \$6-an-hour clerk who is operating it," Abagnale says. "Anyone who believes any system today is foolproof has failed to take into consideration the creativity of fools." □

On the Web

The federal government's central site on identity theft is www.consumer.gov/idtheft.

The Justice Department's site on identity theft is www.usdoj.gov/criminal/fraud/idtheft.html.

The Identity Theft Resource Center is located at www.idtheftcenter.org.

Courting support, Illinois style

Judicial elections bore pundits, newspaper reporters and TV anchors, so it falls largely to the ward committeemen to fill out Cook County's bench. Would an appointive system be better?

by Abdon M. Pallasch

In the 36th Ward's storefront office, just down the street from the Turner Bowl on Chicago's Northwest Side, prosecutor Dennis Michael McGuire waited patiently on a Friday afternoon in November as candidates for the 5th Congressional District and other elected posts paraded before seven Democratic committeemen. McGuire wants to be a judge, and judicial candidates are last to be considered by the committeemen, last on the ballot and last to capture the attention of the media.

There's some irony in that. Rahm Emanuel or Nancy Kaszak — you'll recognize those names because they've been written about — will have just one voice out of 435 if elected to the U.S. Congress. But McGuire and other lawyers Illinoisans have never heard of could become judges with the single-handed power to separate citizens from their homes, their cars, their children, even their lives. All the same, judicial elections bore pundits, newspaper reporters and TV anchors, so it falls largely to the ward committeemen to fill out Cook County's bench.

McGuire watched as an elderly man with uncombed white hair trudged to the podium with a plastic bag full of papers. Government agents had stalked him at the Olympics in Atlanta, the man told the committeemen before asking them to collect the signatures he would need to run for Congress. The ward bosses glanced wide-eyed at each

other, then managed polite applause.

Finally, 36th Ward Alderman William Banks invited McGuire, the only judicial candidate to seek this panel's blessing, to come up and say a few words. Tall and chiseled with a pleasant judicial demeanor, McGuire, a former forward on DePaul University's basketball team, told the committeemen he has been a Northwest Side resident for 40 years, and that he has been found qualified by about half the bar groups. The other bar groups, it should be noted, disagreed.

"He has worked long and hard for the Democratic Organization," Committeewoman Patricia Cullerton of the 38th Ward told the group.

With that, the committeemen unanimously endorsed McGuire for the open seat in the Northwest Side's 11th Subcircuit. "If there's anything I can do for you, let me know," McGuire told them. There is something he can do all right, Banks responded. "You can remember your friends at slating and don't forget about us like a lot of guys do when they put on the robe."

Chicago Council of Lawyers President David Melton burst into laughter when told of the exchange. "I think that illustrates one of the reasons why we should try to find some better system for picking our judges because I don't think it's appropriate for people to let memories about who their friends are influence their decision once they

are on the bench."

But to Banks, why would the comment seem inappropriate? Party committeemen are in the business of winning elections. And they believe the skills that make a good congressman and state legislator — party loyalty, years of ringing doorbells and talking to voters, constituent service — also make a good judge.

Of course, there's potential for a political downside in this process, too.

Two elections ago, Banks and this same crowd of committeemen endorsed another former prosecutor, George J.W. Smith, for a judgeship in the 11th Subcircuit. Smith is now under federal indictment for withdrawing \$20,000 in increments small enough to evade federal bank disclosure rules. Federal investigators reportedly believe the \$20,000 was a bribe to secure an earlier appointment to the bench. In fact, 19 Cook County judges have gone to prison in as many years for taking bribes and other offenses.

More amazing, perhaps, is the number of highly rated, competent judges who have come through this political process. Cook County's best and brightest attorneys who want to be judges have learned that the price is playing this political game.

To Banks' credit, he holds his slating in public. The Southwest Side ward bosses just tell each other over the phone who will get their subcircuit



judgeships.

The Monday after McGuire's endorsement in the 36th, all 50 of Chicago's ward committeemen and all 30 suburban Cook County Democratic township committeemen gathered across the street from City Hall at the Hotel Allegro — committeemen still call it the Bismarck — to ratify their picks for the eight countywide judgeships and three appellate slots.

The candidates know what the committeemen, seated in rose-colored chairs or standing at the back of the room by the coffee and sweet rolls, want to hear. It's not the candidate's position on continuing legal education for judges. "He's the only individual that talked about 85 percent turnout and the 3 o'clock call

[to get voters to the polls], which is very important in the election," said 11th Ward Committeeman John Daley, the mayor's brother, referring to one politically active lawyer who, it turns out, has a good resume, having worked for the city of Chicago, the state of Illinois and the Chicago Transit Authority. "Most importantly," that candidate, Kenneth Cortesi, tells the nodding politicians. "I've been a member of the 31st Ward organization since 1971. Like you, I've been a precinct worker. I delivered for candidates every time we had an election. I never failed to carry a precinct. I know what it is to work a precinct."

The committeemen ate it up.

Alderman Edward Burke of the 14th Ward, chairman of the party

subcommittee that drafts the judicial slate every two years, applauded the committeemen for cheering Cortesi's political credentials more loudly than they cheered his legal ones. "I frankly think that coming to the bench with legal skills is wonderful," Burke told his colleagues. "Knowing what people out there in the neighborhoods have to go through is something that is equally important. You've heard a lot of people come up here and tell about what they did in the precincts and, nine times out of 10, it's a figment of someone's imagination. In this case, he was one of us."

They all are. Burke and the other committeemen note their slating is open to the public, and that they only consider candidates found qualified

The names of this year's judicial candidates, as were those in the past, will be unfamiliar to most Cook County voters. About 40 percent won't even bother to make a choice in these races. Many of those who do will go by ethnicity, gender, even ballot position.

by the Chicago Bar Association or other bar groups. Every one of the eight candidates they slate is rated qualified. And every one of the eight also is politically connected.

And what's wrong with that, they want to know, making no apologies for being loyal Democrats.

They love it when Burke brags about feats his father used to perform when he was still alderman at the old office on South Halsted. "If the building were still up, I would petition the Vatican for designation as a shrine — my father used to work miracles there," Burke told the committeemen. "A guy would go down to 54 W. Hubbard and take the test for the Police Department and he'd be too short. And he'd come to see my father at 4713 S. Halsted. My father would write out a little card and he'd send him back there and — believe it or not — he'd grow an inch."

The committeemen roared.

"Someone would have a heart murmur. He'd write out a card and send 'em back to 54 W. Hubbard, and suddenly they were cured," Burke continued. "He made fat people thin. He made short people tall. It was marvelous."

Among the lawyers this group has determined in past years to be the worthiest in town for judgeships are Burke's wife, Anne, who appears to be doing a fine job on the Appellate Court, and Vice Chairman Cal Sutker's daughter Shelley Lynn

Sutker-Dermer, who gets good reviews on the Circuit Court.

The names of this year's judicial candidates, as were those in the past, will be unfamiliar to most Cook County voters. About 40 percent won't even bother to make a choice in these races. Many of those who do will go by ethnicity, gender, even ballot position. But the still-loyal troops of what's left of Chicago's political machine will cast votes in every race. Eighty percent of the time, the party-slated candidate wins in countywide judicial elections.

Reformers, led by former state senator and comptroller Dawn Clark Netsch, have launched numerous failed crusades over the years to change the judicial selection system. The last time Cook County voters had a choice to approve an appointive "merit selection" system, in 1970, they did so. But downstaters defeated it. Judicial elections just aren't as cumbersome outside the Chicago metropolitan region. There are fewer offices to fill with fewer candidates, giving voters a better shot at making informed choices.

Five years ago, reformers made a modest proposal in Springfield that would have required candidates to have 10 years' experience to run for judge. All the bar groups require that for an endorsement. It would save voters the spectacle of having judges, who make \$127,000 a year, elected just two years out of law school, as happened in one case in 1996. But legislators voted it down. (House Democratic Leader Michael Madigan, now the state party leader, then handed a judgeship to a former staffer who was less than nine years out of law school.)

Moreover, judicial selection "reform" efforts appear to be moving in reverse in the legislature. Lawmakers approved a measure that spiked the number of signatures required to run countywide for judge in Cook County from 500 to about 3,000 — making it all-but-impossible for independents without an army of patronage workers to challenge party-slated candidates. Democratic members of the Black Legislative Caucus teamed up with Republicans to create 15 subcircuits

in Cook County, four of which consistently elect African Americans, two or three of which elect Republicans, and two of which are supposed to elect Hispanics, but more often elect white ethnics.

Still, whatever the selection system, qualified judicial aspirants do find their way onto the bench.

Sebastian Patti, an attorney for the federal Environmental Protection Agency who lived on the lakefront, managed a few elections ago to run his countywide campaign for Cook County judge on two levels. He got high ratings from all the bar groups, won the endorsement of the progressive Independent Voters of Illinois-Independent Precinct Organization and ran an amusing ad in the *Chicago Reader*. It portrayed him in a black robe sitting on the bench with basketball players and promoted the slogan, "Not just another bench warmer."

He also made generous donations to Madigan, Burke and the other key committeemen and courted their support early and often. Madigan turned out more votes for him than just about all of his home-base lakefront wards combined.

At a seminar for judicial candidates after the election, Patti offered his best advice for getting to the Cook County bench. "Make a direct and personal connection with your ward committee person," he said. "If you don't have that all-important connection, call this week. Go in on a Saturday morning. Ask for their help and support. Include them in your campaign. In a countywide race, slating is very important. The party will advance your candidacy, all the precinct captains. I would encourage those of you with a love of the law and a commitment to the administration of justice: Do what you have to do, because that's the name of the game in Illinois, to get yourself elected."

This year's crop of 18 lawyers seeking election to the Cook County bench through the eight countywide openings and the 86 who are trying to get in through the 16 slots open in the subcircuits got started early. The most

industrious circulated petitions for multiple vacant seats and filed in several. Then they waited to see who their competition would be. Candidates look for the race in which they'll be the only woman running against several men, or the only candidate with an Irish name. Beyond getting slated, the factors proven over the years to help in judicial races are securing a top ballot spot, having a female name and/or an Irish name.

That's why, when prosecutor Sheila McGinnis, with her super-Irish name and her clout-heavy family connections, was slated by the party bosses for one vacancy, every other candidate opted out of that race, leaving her the winner by default in this month's primary. (Yes, this month. The November general election is irrelevant in these races. No Republican has beaten a Democrat for a county-wide judgeship in Cook County in more than a decade. And only two of the 15 subcircuits are competitive in November.)

The Irish name carries such strong pull on the judicial ballot because voters know nothing about the candidates but their ethnicity. That's why James G. Smith, who lost a subcircuit race in 1992, changed his name to James Fitzgerald Smith and won in 1994 and is now running for the Appellate Court with his new name. Plenty of candidates over the years — some with no Irish blood at all — have adopted Irish names to run for judge.

Candidates and the Democratic Party use gentle and not-so-gentle nudges to get hopefuls into and out of races. In the two weeks after filing, candidates comb through each other's petitions and file objections to the nominating papers of those they want out of a race. Even if candidates know their petitions are fine, they know they will have to spend time and money defending themselves against the challenge and often will allow themselves to be pushed into a race in which no one has filed challenges against them.

This election season's game of musical chairs lasted right up until 5 p.m. on Christmas Eve, the deadline for candidates to pull out of all but one race.

In years past, "musical chairs night"

was fun to watch as candidates crowded onto the 14th floor of the James R. Thompson Center, where they got into heated arguments, engaged in shoving matches and resorted to tearful pleas as the witching hour approached.

"I'll pull out of this race if you'll pull out of that one."

"No, you pull out of that one."

Inevitably, some poor souls, thinking they had cut all of the deals to get their main rivals out of the races they want, fail to file all of the withdrawals needed and find themselves still in two races at 5:01 p.m., meaning they are automatically disqualified from both. Joan Smuda and Michael Thomas O'Malley saw that happen to them in 1998.

But this election — perhaps because it was Christmas Eve, perhaps because the higher signature requirement has thinned the ranks of candidates — the 14th floor was a ghost town. The only two candidates still horse-trading at 4:55 p.m. were Colleen Glass and Jennifer Doughty Davenport. Both had filed to run in both openings in the 8th Subcircuit on the city's lakefront. They finally came to an agreement. Meanwhile, one other candidate sat nearby reading a book and assuring herself that no one would file objections to her in the race she had settled on.

That's the easy part of the judicial election. The tough part is raising the campaign cash. Candidates for state Supreme Court spent up to \$1 million last time around and the Circuit Court races are catching up. The vast majority of campaign contributions to judges come from attorneys who will practice before those judges. The candidates are supposed to ignore which lawyers give them money so as not to appear to be favoring one lawyer or another.

Candidates running countywide with the party's blessing are expected to come up with \$10,000 to help with the party's advertising budget.

Would an appointive system be better?

The Chicago-based American Judicature Society has preached for years that appointive "merit selection" systems produce higher-caliber judges

and put even more women and minorities on the bench than elective systems.

At least 34 states use merit selection for some judicial offices. Typically, a blue-ribbon panel screens candidates and forwards three names to the governor to choose one for vacancies on the bench. In some states, the state Supreme Court makes the appointment.

But Illinois already has an ad hoc version of that system. The state Supreme Court appoints lawyers to "temporary" vacancies on the bench. The three Supreme Court judges from Cook County control all appointments to the Cook County bench. Those justices often make the appointments in consultation with the same ward bosses who helped the justices get elected.

Of the eight connected lawyers slated to run countywide this year, six were appointed temporary judges by the Supreme Court. A majority of Cook County's 400 judges got their starts with appointments.

Is there a merit selection system that could not be corrupted by Cook County and Illinois politics? That question appears to be moot, as legislative leaders have no intention of changing the current system.

But in every election, the voters have the chance to take matters into their own hands. In the 36th Ward six years ago, the first time Banks ran Judge Smith, voters opted instead for the unslated Barbara Riley, a woman with an Irish name who has been doing just fine — and is indictment-free — on the bench.

Abdon M. Pallasch covers legal affairs for the Chicago Sun-Times.



Shutter the hometown school?

“The hardest animal to kill in Illinois is a school mascot”

by John Kelly

Phyllis Hopwood sent all six of her children to Steward Elementary School. She has taught her neighbors' children in the tiny schoolhouse for almost three decades. So it is difficult for her to watch what is happening to Steward.

The surrounding farms of Lee County in the northwest corner of the state, which for decades supplied the school with students, are growing larger and supporting fewer families. Couples with children are chasing jobs in bigger cities. Young adults, whose kids might someday fill these halls, instead graduate, leave and rarely return to settle here.

Steward is shrinking. This year, there are 97 students in nine grades. By 2005, enrollment could dip below 80.

“A school means everything to a small town like this,” Hopwood says. “This place is what keeps the community together.”

However disheartening, reality is similar for prairie towns all over Illinois. Census 2000 numbers show people are fleeing the once-vibrant farming communities of the Midwest.

An analysis of the census count and enrollment figures indicates that, over the next few years, small districts that have long resisted merging with large districts in nearby cities may be left with little choice.

Illinois has 249 school districts serving fewer than 500 students. The latest census figures show that in more than 200 of those districts, about 80 percent, the number of school-age children within those districts' borders will drop by 2005. In 32 districts, the number of potential

pupils could drop more than 20 percent.

Experts say the sagging numbers and the diminishing tax dollars that go with them will force dozens, even hundreds, of tiny districts into a fate they avoided for decades: consolidation, which could someday mean a far-off school board will decide to shutter the hometown school.

“It's the last vestige for these communities,” says former state schools Superintendent Robert Leininger. “The elevator closed. The gas station shut down. But they've still got their high school. If they lose that, some people believe they lose their identity.”

Educators and residents from small districts contend they want to keep what they've got: incredibly low student-to-teacher ratios, relatively few discipline problems and local decision-making. There is no talk of merger in Steward.

“What we do is what a lot of larger districts are trying to emulate,” says Steward Principal Colette Sutton.

But Leininger and other longtime educators say pride too often prevents withering rural districts from seeing the positive side to consolidation until students and taxpayers are suffering.

“The hardest animal to kill in Illinois is a school mascot,” says Max Pierson, a former school superintendent who now teaches at Western Illinois University in Macomb and prepares consolidation studies for districts across the state.

Local resistance is one reason Illinois has the most fractured public school system in the United States. Illinois' system is the fifth-largest in the country in number of students, but has more

districts (891) than all but two states: California with 1,048 and Texas with 1,041. Texas has twice Illinois' 2 million pupils. California has three times as many.

This state's ranking comes after a half century of mergers. Illinois had 12,000 school districts in the 1940s, about 2,000 a decade later and less than 900 now. Dozens more are looking into consolidation because of enrollment dips, financial strains or a combination of both.

Examples of shrinking school systems can be found in every corner of the state, from northwestern Illinois to the Ohio River. Otter Creek-Hyatt District in LaSalle County, already the smallest in the state, was home to 51 children old enough to attend school last year; the number could be 29 in 2005.

McClellan District 12, near Mt. Vernon, could drop from 105 school-age residents to 61 in that same time frame.

In Ogle County, just north of Steward, the Kings district's pool of potential pupils could fall from 155 to 105.

“We get bubbles, but we have sustainability,” says Kings Superintendent Lynn Dewey. “One year, we'll graduate a large class and a small kindergarten class comes in. Another year, we graduate a small class and get a larger incoming kindergarten class. So our numbers stay about the same.”

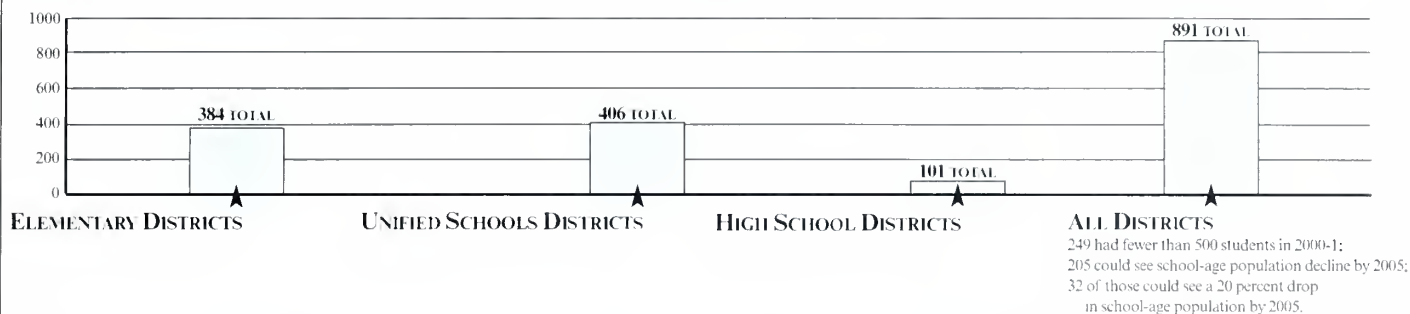
No, people in places such as Kings and Steward are not talking about consolidation. They are planning for the future.

Just three years ago, Steward voters approved a tax hike to rebuild the K-8 school without a dime in state construction aid. Parts of the job were done with

SHRINKING SCHOOLS

More than 80 percent of Illinois' smallest public school districts could see declines in school-age population, barring sudden shifts in rural demographic trends, according to census and enrollment figures.

Enrollments were determined using State Board of Education figures reported by the districts. Current school-age population is the number of children who are old enough to attend school that the U.S. Census Bureau counted as residing within the district's geographic borders in April 2000. The census was used to project the school-age population in each district in 2005.



donated materials and labor.

The project combined a state-of-the-art facility with historic sections of the old school, including the gymnasium. Despite the shiny new walls, walking through Steward's halls is like visiting another era. Parents flow in and out constantly, each greeted by first name by whichever staffer spots them first. The fourth and fifth grades share one classroom and one teacher, Mrs. Hopwood. In the cafeteria, a lone cook prepares a home-style meal for a few dozen students. A traveling music teacher leads half the band here, the other half at another school miles away.

Principal Sutton says her students get the same curricular, and extracurricular, opportunities as kids in big-city schools — with some added bonuses. For example, everyone can play on sports teams because the school needs all the players it can get.

The biggest bonus is personal attention. One reading class had a teacher working one-by-one with her nine students, the kind of quality teaching time urban and suburban teachers dream of.

"We chose this for our children for a reason," says Phyllis Hopwood. "They've all ended up being successful."

Sutton says school officials are optimistic about future enrollment, too. Steward got one new student in the past year. The child's father drives more than an hour to work in the far western Chicago suburbs. She's convinced enough people will choose Steward and its quiet lifestyle that the school will remain viable.

However, education researchers such as Leininger and Pierson say small districts need to look beyond keeping just enough kids to hang on and instead focus on the quality and cost of education.

Researchers say curriculum can be limited in some smaller districts, which may lack resources for foreign language courses, computer training or up-to-date science labs. Instructors may have to teach outside their fields of expertise. Some do not have enough money to offer extracurricular activities such as music, art or football teams.

There is a financial cost, too. State Board of Education statistics show Illinois districts with 500 or more students spend 3 percent of their budgets on administrative costs, such as superintendents' salaries. Those costs are double, about 7 percent, in districts with 500 or fewer students and 11 percent in districts with 200 or fewer students.

Leininger points to some counties where a single high school draws students from a half-dozen or more independent elementary districts within a short drive, each with its own buildings and superintendents.

"Why not have one superintendent? The system is inefficient and ineffective," Leininger says.

Available statistics show no pattern of higher tax rates in smaller districts. Nor is there reliable data to determine whether mergers result in lower property tax rates. Pierson and Leininger say that's because the money saved still needs to be spent — but now it can be spent in the classroom.

Leininger has a high-profile opportunity to push a statewide reorganization of districts. He chairs a committee studying school funding for the State Board of Education. The group's final report likely will identify consolidation as one way for the state to get more out of its education dollars, he says.

The former state schools chief jokes that he still has "battle scars" from debates during the 1980s over statewide consolidation. The idea was killed by political leaders facing incredible opposition from all corners: rural towns, Chicago suburbs and union leaders whose members might lose jobs because of mergers.

The time may be more favorable now, Pierson says. The state faces a widespread shortage of teachers and superintendents. Mergers may reduce the number of education jobs, but that can be a good thing when there are not enough candidates for the jobs anyway, he says.

Besides, barring a sudden shift in rural population trends, consolidation is going to happen anyway. Leininger says it should be planned carefully on a regional basis, rather than crisis-by-crisis in individual districts.

"Many districts that have reorganized had to because of a lack of students," Leininger says. "There's no question there is going to be some natural consolidation, but I don't think we can just wait around for it to happen." □

John Kelly is a special assignment reporter for The Associated Press in Chicago, where he covers Illinois state government and statewide issues.

Ready and willing

Illinois faces mounting Medicaid costs, yet one group of health care providers continues to serve patients without regard to ability to pay. They're getting extra help from the feds

by Tony Cappasso
Photographs by Randy Squires



Springfield's Capitol Community Health Center opened in 1999 with a grant of \$550,000 per year for five years from the U.S. Department of Health and Human Services. The center has grown rapidly.

State cuts in Medicaid reimbursements to hospitals could threaten poor Illinoisans' access to medical care, but some clinics, created with federal support, stand ready and willing to fill any gap — and, some argue, at less overall cost to taxpayers.

There are 180 such health centers, administered by 36 groups throughout Illinois. Each has been qualified by the federal government to receive higher state reimbursements through Medicaid and Medicare for serving low-income patients, either because they are in medically underserved urban areas or in rural regions that lack alternative care. Individual subsidies are higher under this federal program, but the cost of care could be cheaper in the long run because poor and uninsured patients might be less likely to seek more expensive emergency care.

The majority of these health care centers were created through federal grant monies and receive federal operating subsidies, says Tanya Ford, manager of community development at the Illinois Primary Health Care Association. The patient care is recouped through the state's reimbursement program, though half of these dollars, too, come from federal coffers.

Yet, Medicaid has been the fastest growing portion of Illinois' budget. In an attempt to staunch, or at least slow, the flow of these dollars, the state has cut reimbursement rates to hospitals and slowed some payments to providers.

Despite this, the federally qualified health care clinics continue to see Illinois patients without regard to ability to pay — in some cases, an increasing number of them. Across the state, they cared for more than 500,000 patients last year, and about 80 percent of those patients were Medicaid recipients.

But some of these clinics face fiscal pressures, as well, because Medicaid payments from the state are taking up to 80 days in many cases, and as long as 90 days at some clinics. One, Southern Illinois Health Care Foundation in East St. Louis, is owed \$600,000 in payments for care rendered to Medicaid patients.

At the same time, business appears to be picking up at these clinics, which also can provide lower-cost primary care than most other providers.

For example, before Springfield's Capitol Community Health Center opened in 1999, patients from the city's East Side, its poorest neighborhood, often wound up in emergency rooms at St. John's Hospital or Memorial Medical Center, the two major

hospitals in that community. They got good care, but little follow-up, and continuity of care was limited because patients often saw a different physician each time.

Capitol Community, which opened its doors with a grant of \$550,000 per year for five years from the U.S. Department of Health and Human Services, has grown so rapidly that the center's board of directors is looking for new, larger digs, says Forrest Olson, the center's executive director.

Patient visits to the center have jumped from 354 per month in July 2000 to 1,539 in January, Olson says. And the number could grow. The center has four physicians, three full-time and one part-time, and a nurse practitioner who have been seeing patients each weekday and half-days on Saturdays.

There's little doubt Capitol Community Health Center is seeing patients it was intended to help. About 45 percent of that clinic's clientele is covered by Medicaid, while another 4 percent to 5 percent are elderly or disabled and covered by the federal health insurance program Medicare. Fifty-one percent of Capitol Community's patients have no insurance and pay for their care on a sliding scale based on income, Olson says.

Capitol Community's client base and experience appear to mirror that of older, more established federally qualified clinics. One of the oldest, founded in 1984, is the clinic in East St. Louis. Southern Illinois Health Care Foundation CEO Robert Klutts says he oversees 12 locations. The clinic runs its own bus service to help patients get to appointments, and operates through evening hours, helping to keep people who need services after regular hours out of emergency rooms. "We had 97,000 visits last year from 33,000 individuals," he says.

His clientele is similar to Capitol Community's. Roughly 62 percent of patients are covered by Medicaid, while 20 percent have Medicare coverage. Ten percent have insurance and the rest pay on a sliding scale.

The clinic also administers a state program, called Health Works of Illinois, which handles medical care for wards of the court in a six-county area. "We do a lot of special health education projects," Klutts says. "It's a special niche that we focus on: the things that others can't do well. We have more than 1,500 kids in the program."

Crusader Clinic in Rockford, which has been operating for 30 years, is growing by leaps and bounds, too. Crusader's providers gave care to nearly 30,000 patients in 2001, primarily from the city of Rockford and from Winnebago County, as well as Boone, Stephenson and Ogle counties, according to President and CEO Will Rodgers.

The clinic has recruited Spanish-speaking physicians, and has added a delivery site at the Winnebago County Health Department, where half of all patients are new to the system. Further, Crusader has expanded its dental practice to three full-time dentists and added four dental exam rooms.

Indeed, though some of Illinois' for-profit health facilities might struggle to serve nonpaying patients as public budgets tighten and the economy slows, these smaller clinics, designed to serve all low-income residents in their areas, appear to be opening their doors ever wider. □

Tony Cappasso is a medical reporter for the State Journal-Register in Springfield.



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AT RISK

A growing number of this state's working poor are going without health insurance. And that adds up to trouble for all Illinoisans

by Paul McNamara and Lisa Sheppard

A serious accident or illness can be financially devastating for anyone who doesn't have health insurance. This individual also is more likely to get poor medical care, or no treatment at all, for debilitating health problems.

In short, to be among the uninsured is to be at risk.

Illinoisans who are most likely to face this risk are those who hold low-wage jobs. Indeed, the number of this state's working poor who have no health insurance has grown over the past decade. This was one finding in a study conducted by the Department of Agriculture and Consumer Economics at the University of Illinois at Urbana-Champaign.

In the years 1991 through 2000, 11 percent to 15 percent of Illinoisans between the ages of 18 and 64 had no health insurance, according to the study, which was based on information culled from Illinois Department of Public Health surveys. This means some 900,000 of the state's citizens — most often living in households earning less than \$15,000 a year — were not covered.

In fact, the percentage of the working poor who did have insurance declined sharply over that period, from 82 percent in the first half of the 1990s to 54 percent in the second half of the decade. Even among workers who had an income of up to \$35,000, the percentage of those who had insurance decreased from 86 percent to 76 percent by the end of the 1990s.

In general, working Illinoisans who have the least education have the lowest health insurance coverage. Those workers who had less than a high school education, and thus were most likely to be low-wage earners, experienced a decline in health insurance coverage. As expected, workers who had a college education or beyond have the highest levels of insurance coverage.

The study shows that uninsured Illinoisans differ markedly from those who have coverage. More than 75 percent of uninsured Illinois residents live in households with an annual income below \$35,000. And they are more likely to be young adults, with 39 percent of them in the 18 to 29 age group. The study also showed that uninsured Illinoisans are more likely to be minority or female. Non-whites are 10 percent more likely to lack health insurance coverage than whites. Additionally, a larger percentage of uninsured Illinoisans live in Chicago rather than in the smaller metropolitan or rural areas of the state. Chicagoans comprise 36 percent of all uninsured Illinoisans.

The survey results do not explain the erosion of insurance coverage for low-income and less-educated workers over the past 10 years. However, the latest Illinois census shows that there has been a large influx of Hispanics into the state. Hispanic immigrants, who may have less education, are at a disadvantage in the labor market and are

less likely to land jobs that offer health insurance benefits. Thus, the falling insurance coverage for low-income workers may reflect the movement of new workers into Illinois.

This news is likely to get worse. The economy and the status of the labor market are critically important factors influencing workers' ability to purchase health insurance. The 1990s was a decade of robust economic activity and record-breaking employment levels. Because low-income and less-educated workers were more likely to lack health insurance at the end of the decade than in the early 1990s, it's likely this trend will become even more pronounced as the labor market weakens and unemployment levels rise.

However, the impact is likely to vary by employment sector. Findings showed that workers employed by the private sector and the federal government were more likely to be without health insurance than were employees of state and local governments and not-for-profits.

Comparisons of specific occupations showed that employees working in the food service industry were least likely to have health insurance. Only 74 percent were insured, compared with 99 percent of workers in management, business and financial occupations. After food service workers, those in the health care support and personal care occupations were the least likely to be insured, with only 85 percent of those workers having

insurance. Occupations in which less than 90 percent of the workers were insured included the arts, the media, sports, construction, maintenance, production and transport.

Of course, adequate health insurance is critical to obtaining high-quality health care. Hundreds of research studies bear this out.

A recent report by the American College of Physicians-American Society of Internal Medicine shows clear evidence that the uninsured experience a generally higher mortality rate and may be up to three times more likely than insured Americans to experience adverse health outcomes. In a 1993 study published in the *New England Journal of Medicine*, the risk of death from breast cancer among women diagnosed with the disease was 49 percent higher for the uninsured than for privately insured patients. Another study, published in the *Journal of the American Medical Association*, showed that the in-hospital death rate was one to three times higher among uninsured patients.

Doctor visits and health-screening exams are strongly influenced by insurance coverage. The University of Illinois study showed

that 35 percent of uninsured people reported they avoided visiting a doctor because of cost concerns. In comparison, only 5 percent of insured residents avoided doctor visits for the same reason.

Health insurance also is a motivating factor in scheduling routine checkups. Screening tests for cancer and heart disease are widely promoted by health care professionals as important lifesaving measures. Still, insurance availability influences patients' health behaviors. During the past decade, overall use levels have increased for

mammograms, pap smears and cholesterol screening, but the uninsured are much less likely to take advantage of these exams.

The most dramatic difference between insured and uninsured Illinoisans occurred in cholesterol screening tests over the past five years. Seventy-two percent of insured adults had a cholesterol screening test, compared with only 45 percent of uninsured adults.

Thus, it appears that uninsured Illinoisans are less likely to respond to public health messages advocating screening tests.

The U of I study helps measure the extent of the health-insurance gap in Illinois, and therefore contains implica-

2000 report, has identified a large variety of state and local responses to the lack of health insurance.

For example, several states have expanded their state-run children's health insurance programs to cover parents in low-income families.

Illinois could embrace this strategy by expanding the KidCare insurance program to cover family care, allowing many low-income uninsured individuals access to health insurance coverage and, therefore, better health care.

Promising models exist at the local level, too. Here in Illinois, the Rockford Health Council is pursuing a community-based strategy to improve access to health care. The council's model builds upon the experience

of Muskegon, Mich., where the Access Health program established a three-way partnership between low-wage employees, small business employers and the community. Such a partnership creates a health coverage program (not an HMO or an insurance program) that allows access to health care at affordable rates.

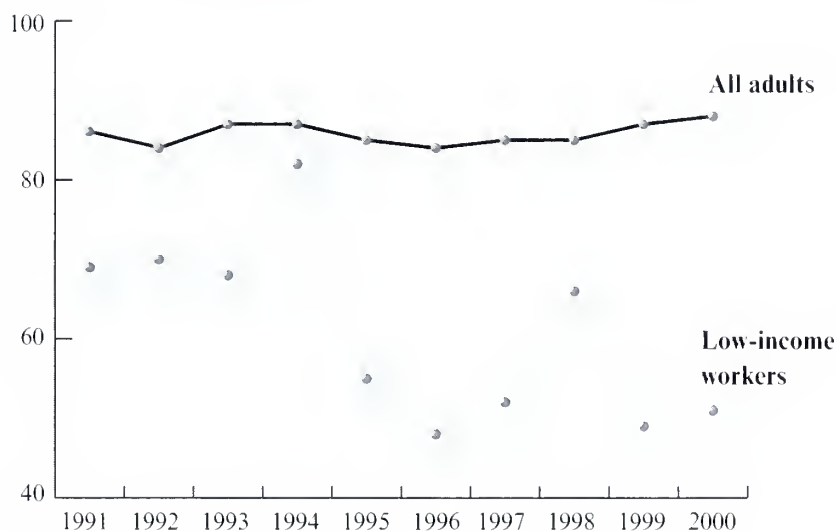
One role for state government might be to encourage and promote these types of local health coverage programs.

The problem is not going to go away. Lack of insurance for one out of 10 Illinoisans is a risk to public health, with serious implications for the uninsured and the people who depend on them. □

Paul McNamara is a University of Illinois assistant professor in the Department of Agriculture and Consumer Economics at Urbana-Champaign. Lisa Sheppard is a writer and editor at the University of Illinois.

The report was conducted for an assembly of government, medical and insurance representatives.

The insured in Illinois from 1991-2000



Source: University of Illinois and Illinois Department of Public Health

tions for targeting and crafting policy responses. Clearly, there are no easy solutions. Furthermore, with the current economic downturn and the concomitant pressure on state revenues, it appears unlikely the state could fund a major initiative at this time.

Unfortunately, an economic slowdown likely will lead to an increase in the lack of health insurance as unemployment increases and as firms cut costs.

Nevertheless, legislators and others interested in addressing the problem have alternatives to consider. The Commonwealth Fund, in a November

TRAILBLAZER

She was the first female photographer to step onto Wrigley Field and the first to shoot the world's highest waterfall. In honor of Women's History Month, we remember Illinois journalist Ruth Robertson. Others are beginning to remember her, too

by Bill Knight

Photograph by George Reith

Photojournalist Ruth Robertson grew accustomed to being the one and only: the first female photographer at the Peoria *Star* newspaper, and on the field at Wrigley Field; the only woman photographer at the 1944 national political conventions, and with the Army in Alaska during World War II.

But in 1949, this Illinois newswoman really went where no man had gone before: measuring and photographing the world's highest waterfall deep in the Venezuelan jungle, where four expeditions led by men had failed.

Now, some 50 years after that feat, and decades after she was virtually forgotten, Robertson is the subject of a proposed documentary film and a book. "Hers is one of the great unknown stories," says Scott Eisenstein, a Chicago-area producer associated with the Duncan Group, a Milwaukee-based documentary production company. "She was a real risk-taker and achieved a great deal, even though her whole career was like pushing a boulder uphill."

Robertson repeatedly overcame skepticism and adversity through a mix of professional skills and commitment, her personal zeal and acquaintances across the globe.

She didn't seek fame, says George Reith, 87, a friend from her years in Peoria. "Ruth had many exploits in her 50-year career," he says. "But one of her main accomplishments was to prove that women are capable of doing what men can do."

Money wasn't important either, Eisenstein adds.

"She had a drive that went beyond



Ruth Robertson

money — and even common sense, sometimes," he says. "After her expedition made it to Angel Falls and back, the *National Geographic* ran 35 pages of her story and photos and paid her about \$200 total. Before that, she was a photojournalist in Peoria working for free for years before they'd hire her."

Robertson's parents were divorced within a year of her 1905 birth in Taylorville. Several years later, her

mother died and she moved in with a grandmother. After her grandmother died, Robertson's father, who was in Peoria, sent for her. As a teen, she moved to that west central Illinois city where she lived in a tiny mobile home, which actually was a shack built on a truck chassis, before moving to an apartment, then a house in the Averyville neighborhood.

Some might say Robertson's childhood was humble, or hard. However, she frequently fished and hiked and camped with family and friends along the Illinois River, Reith recalls, and she developed an independent streak and talents for making friends and taking pictures.

"She followed Amelia Earhart and just thought she was a great, great woman," Reith remembers. In fact, while Robertson worked at the paper she took flying lessons and piloted a plane. "It seemed like she never thought of having a boyfriend or marriage until she got a career, and until it was successful, too. I've never seen anybody so determined."

Reith says Robertson learned photography from her father, who opened a photo studio in a storefront beneath their small apartment on Peoria's South Side, and she eventually persuaded Peoria's morning paper to run her material — for free.

"She had to prove herself," Eisenstein agrees. "She said they wouldn't provide her with a camera and didn't give her assignments and called her a 'photo girl.'"

After a while, the paper did hire her. In 1939, she became the first female photographer employed at the *Star*. Editors let her handle lighter features,

food and fashion stories, and a few weekly columns. Later, she got to interview celebrities and cover sports, meeting such figures as Mademoiselle Chiang Kai-shek, pitching great Dizzy Dean, actor John Barrymore and anthropologist Margaret Mead.

"A few times she let me come, too, and she was great," Reith adds. "She had a hat on with 'Press' on it when we went to see Buddy Rogers' big band play, and we danced until the group was done, then she interviewed him. Another time, Kay Kyser was playing the [Hotel] Pere Marquette, and she talked to him for a story during the dance."

In 1942, Robertson moved to Chicago, where she worked for Acme Newspictures before she and newspaperman Art Neumann launched an independent news service called Press Syndicate. Her stories ranged from the 1943 World Series to the Democratic and Republican political conventions, both held in Chicago in 1944.

At the Series — in which the New York Yankees beat the St. Louis Cardinals 4 games to 1 — Robertson's presence sparked a rude reception by baseball fans who objected to a woman on the field.

The next year, she got an assignment as a war correspondent in the Alaskan Aleutian Islands, where she was the only female among three journalists. She survived a Japanese attack on a fighter in which she was a passenger, and a stubborn general who didn't want her there.

"She was met with resistance from the commanding officer of the [Army's] Alaska Division," says Patricia Hubbard, a New York writer who is working on a Robertson biography and consulting for the documentary. "He ordered her detention for 34 days, insisting no 'newspaperwoman' be allowed on his base, insisting that she be recalled."

"He called the War Department —

and so did she," Hubbard says. "She had built up many friendships over the years working for the Peoria *Star* and the *Chicago Tribune*. Ruth collected friends like some people collect shoes. The story hit the newspapers. Gov. Dwight Green of Illinois became involved, and so did [then-U.S. Rep.] Everett Dirksen."

"The end result," Hubbard says, "the general was recalled and Robertson stayed."

After the war, she worked at the *New York Herald-Tribune*, but found herself assigned to light features and the "women's section."

"She hated it," Hubbard says. "She

northern part of this continent to be explored and articles to be written and photographs to be taken and marketed in U.S. magazines," Robertson wrote. "I felt confident that the frontier countries were where the good stories were to be found."

Shell Oil hired Robertson to work on its regional magazine, *Topicos Shell*, and while there she heard of the fabled Angel Falls from Jimmie Angel, the American pilot who first discovered it in the mid-1930s. He estimated its height at a mile. In 1947, Robertson accompanied a bush pilot on a flight over the interior, including Angel Falls. She resolved to reach it

Photograph by George Reith



Ruth Robertson and her father Jack Robertson outside their homemade trailer

was determined to make good. She was an incredible woman — not more than 5 feet 2 and [she] couldn't have weighed more than 100 pounds. Yet she spent most of her life hauling around 40 pounds of camera. She had a drive that was indomitable."

Bored with her New York job, Robertson quit in 1946 and sought adventure in South America, where a startup Venezuelan airline needed public relations as well as pilots. She was invited to join by an aviator pal from Alaska, Clayton Knight, who had served in Eddie Rickenbacker's World War I outfit.

The airline never got off the ground, but Robertson negotiated a settlement that let her fly between Caracas and New York free for a year to sell her photos and stories. She was attracted to the unspoiled region.

"Here was a whole chunk of the

at ground level.

"The majesty of such a tremendous sight would have to be photographed looking up at it, not condescendingly down," she wrote then. For her land expedition to Angel Falls, which locals called Kerepak-upai-meru, she recruited an engineer to survey its height, a

government radio operator, a Princeton University filmmaker, a guide and 10 natives of the region. During meticulous planning that lasted more than a year, Robertson studied the four failed attempts to reach the falls, realized that comfort must be sacrificed for lighter weight, used then-innovative supplies such as dehydrated food, sought advice from area miners and others who lived off the land, and adapted to changes as easily as she had ignored jeers on the ball field and deflected resistance of the military brass.

Part of her preparation included securing needed funds from friends. "Failing to persuade *National Geographic* to fund the expedition, Robertson fell back on various sponsors, including the bush pilots whom she'd befriended while living in Venezuela," says travel writer Dominic Hamilton. "Angel Falls is the Eighth Wonder of the World. The

falls plunge for a near freefall kilometer — 20 Niagaras piled atop one another.

“No one — certainly no white person — had ever been up the Churun Canyon to the foot of the falls.”

The 1949 trip took 19 and one-half days of frequent rain and constant heat, strenuous activity and arduous conditions. The four dugout canoes ran aground, then threatened to sink. The group bailed, portaged and carried photo and radio equipment, camping and other gear, and shared the trail with jaguars and monkeys, tarantulas and lizards.

In all, what they hoped would take a week took three; a route that was to traverse two rivers spanned five; and, besides such anticipated woes as snakes and bugs, there were numerous unexpected nuisances, including burrowing fleas and biting flies.

Robertson made notes when someone else poled or paddled, or by firelight in drenched campsites. “I rested my paddle, wrote occasional notes, took a picture or two, changed film, dried clothing, or else just rested my blistered palms,” she wrote one day. One night, she added, “There was no breeze in the jungle, and it was hot and sultry. The moon was half-full, and the soft light filtering down through the jungle growth was beautiful.”

She had to deal with a near mutiny and attempted sabotage by others trying to claim credit for the mission. But the struggle was worth it, she wrote. “Plunging through jagged rocks a few feet below the canyon rim more than half a mile in the first unbroken drop roared the falls.” Robertson described the scene. “They deafened every other sound, and whirled in spirals as the wind caught them and sent them out over the valley below.”

The expedition blazed a few trails, Eisenstein says. “It was led by a woman at a time when very few women were taken seriously as adventurers,” he says. “Robertson had no experience in mounting or leading an expedition, but she had so many things going for her: a fearless persona, strength, good humor and an

unflappable will to succeed.”

After reaching and photographing the 3,212-foot waterfall, Robertson was famous. She was congratulated by the White House, covered in *Life*, *Newsweek* and *The New York Times*, and published in *National Geographic*. Even *Glamour* magazine featured her in a piece about 10 American women working overseas.

Courtesy of Harry Ransom Humanities Research Center, The University of Texas at Austin



Ruth Robertson in Venezuela

Her life remained exciting, but out of the limelight. For years, she free-lanced from Venezuela, contributing to *Time* and *Life* magazines and traveling the world on assignment. She married Charles Marietta in Caracas, where she edited the *Daily Journal*, and later edited the *American Society Bulletin* in Mexico City.

Robertson and her husband moved back to the United States in the 1960s, living in Arkansas and Texas. She continued to free-lance. In 1975, she published her account of the jungle adventure, *Chirrin Mern: The Tallest*

Angel. The book revived some interest, but after her husband died in 1984, Robertson became a virtual recluse. Then, in 1990, *National Geographic* ran a brief story about plans for her film negatives, and that was noticed by Hubbard and the University of Texas, which acquired her extensive archives for its Harry Ransom Humanities Research Center in Austin, where her work was exhibited in 1993.

Hubbard spent years interviewing Robertson before she died four years ago. Meanwhile, filmmaker Chip Duncan had recognized Robertson's life as an inspirational story that could launch a series of documentaries about risk-taking explorers.

“Chip has done a lot of adventure and travel shows,” says Eisenstein. “He did public TV's Emmy Award-winning *Worth Fighting For* and the well-received *Mystic Land* series. What hit him about Ruth was how overlooked she'd become, that no one had done a story on this talented woman.”

The documentary, *The Forgotten Expedition: The True Story of Ruth Robertson*, will be partly biography and partly a feature about a determined explorer, Eisenstein says. It's formulated, with plans to intercut Robertson photos with new footage retracing her steps. The program is planned as a pilot for a series tentatively titled *Expedition! True Stories of Great Explorers*.

“We haven't got the financial assistance we need from a sponsor,” he says. “In some ways, we're racing against time, because our interview subjects are getting older. On the other hand, Ruth's story is timeless. We certainly hope to still go ahead with it.

“We have to have the perseverance she had,” he says. “Certainly, she never gave up.” □

Bill Knight, a Peoria journalist, teaches at Western Illinois University in Macomb. He was once a reporter for the Peoria Journal Star, the descendant of the Peoria Star, where Robertson got her first job as a photojournalist.

THE OLD MAN'S MIGHT

*We continue to believe we can tell water what to do.
Songs and stories tell us different*

by Robert Kuhn McGregor

RIISING TIDE

*The Great Mississippi Flood of 1927 and
How It Changed America*

*John M. Barry, 1997
Simon & Schuster*

*"When the levee breaks,
I'll have no place to stay."
—Led Zeppelin*

History has a way of coming at us from odd directions.

Memories of out-of-the-way events float along the edges of consciousness, delimiting our present, shaping our future. Far from the echoes of capitol stairways, the shouts of the marketplace, things happen, things over which humanity has no control. History texts give short shrift to these occurrences, implying there is nothing really to be learned from epidemics, from natural disasters, from climatic changes. Still, the memories lurk in cultural recollections, awaiting our attention. We remember, perhaps, because their impacts are far greater than we would care to admit.

My case in point is the great Mississippi River flood of 1927. Perusing several of the most recent college American history texts, I find not so much as a word about that calamity. No one taught me about the flood in high school, and I never once encountered it in the long line of college history courses I still recall. Yet it is there, this vast outpouring

of "the father of waters," the tragedy that swept away levees, houses, farms, villages, an entire way of life. I've known about the Great Flood for as long as I can remember: a fact of the past too important to ignore, too personal for the standard histories. The flood is an artifact of our living culture.

When historians ignore the fundamentals, the artists must pick up the slack. My first concrete acquaintance with the flood came more than a quarter century ago in, of all things, a song by Randy Newman. Newman, recognized for his film scores and some really unusual ballads, spent a portion of his childhood in Louisiana, where they have reason to remember the great river's relentless determination. His soulful interpretation of the event is entitled "Louisiana 1927":

*Louisiana, Louisiana
They're trying to wash us away
They're trying to wash us away.*

The simple arrangement echoes a people's anguish when, for a brief moment, nature did all the choosing. Just to bear witness was all a helpless soul could do:

*The river rose all day
The river rose all night
Some people got lost in the flood
Some people got away all right
The river has busted through clear
down to Plaquemines
Six feet of water in the streets
of Evangeline.*

No one who has stopped to listen to that song will ever ignore the flood of 1927 again.

Not too long after hearing Newman's ballad, I again discovered the flood in the center of a very different cultural exposition, *Old Man*, a novella by America's greatest writing talent, William Faulkner. The story is Faulkner at his best: dense, modernistic, strange. *Old Man* chronicles a few adventurous weeks in the life of a 19-year-old black man sentenced to a long stretch at Parchman Farm, Mississippi's state penitentiary, for believing he could rob a train. After a brief taste of Parchman's horrors, the young man is hauled away with other prisoners to form a work gang sandbagging a levee. His reaction on climbing off the train expresses everything.

"What's that?" the convict said.

A Negro man squatting before the nearest fire answered him: "Dat's him. Dat's de Old Man."

"The Old Man?" the convict said.

The "Old Man" was in full flood, a broiling, rampaging force of nature carssing the very tops of the levees, looking for the weakest points. As Faulkner well knew, the break came at Mound's Landing, near Greenville, the heart of sharecropper country. Sent in a tiny rowboat to rescue a pregnant white woman stranded by the rising waters, the convict

and the woman are swept away in the deluge. They come to what passes for dry land two hundred miles down stream, saved by a trapper in the Louisiana bayou. In the usual Faulkner fashion, a series of incredible challenges follow as the convict, the woman (and pretty soon her infant) and the trapper struggle to cope with a world rearranged by the relentless waters.

The characters must do nothing more or less than simply accept what fate has doled out to them. The convict does not triumph; he endures, finally making his way back to the Greenville levee, where he returns boat, woman and baby, as assigned. He wants nothing more than to return to Parchman — the Old Man is too much.

William Faulkner was making a point that few historians — or few Americans generally — wish to hear. Much of the time, we can maintain the illusion that nature is under our thumb, that even a force so grand as the "Mighty Mississipp" can be locked into place and made to behave. Faulkner knew that such was not true. Every day, nature scrabbles at the gates we have constructed to manage our world, seeking the way in. More often than we can afford to admit, the gates break down. The only human solution when that happens is

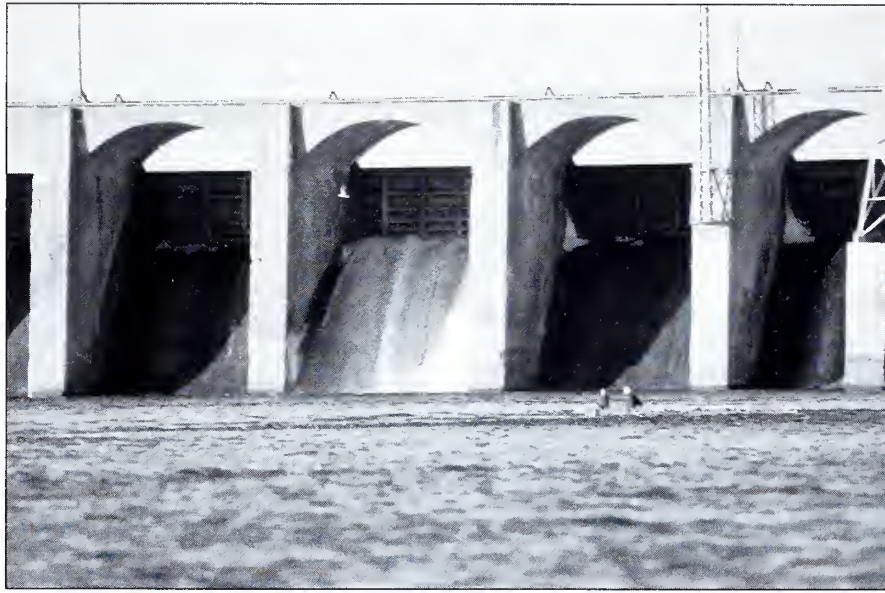
the kind of stoic acceptance, the ability to endure that Faulkner drew so carefully and so well. Engineering is never perfect, so our survival instincts have to be awfully, awfully good.

The Great Mississippi Flood claimed my attention once again recently, when I received John M. Barry's *Rising Tide: The Great Mississippi Flood of 1927 and How It Changed America* as a Christmas present. Barry, a journalist and popular writer, has supplied the omissions left by the standard histories,

the river. The Army Corps of Engineers implemented a plan to construct levees along the entire river, and then systematically seal off all river outlets save the main channel. In theory, with the entire river working a single channel, onrushing currents would scour the bed ever deeper, making for a tamed and navigable stream, predictable in its behaviors.

By 1926, all but one of the outlets was indeed sealed off. Troubles loomed that autumn, as unusually heavy rains fell throughout the Midwest. Disastrous

flooding along the Illinois River, at Peoria, at Jacksonville, at Beardstown, portended an ominous challenge to the newly engineered Mississippi. That fall, winds shoved waves to the top of several levees below Cairo. More water was coming. The Old Man crested with the new year, reaching flood stage at Cairo on January 1, and Memphis four days later. The initial crest reached New Orleans on February 13; repeated surges



Lock and dam on the Mississippi

Photograph by Jason Lindsey

telling a sad and sordid story that again focuses on the human drama of the disaster. The river is almost a bit player in his telling, a roiling background for tales of greed and rampant injustice. Barry sees the flood as a seminal moment in America's past, a catalyst for profound social and political change. Perhaps this is true.

The roots of the flood lay in a series of misperceptions, engineering rivalries and plain stupidities wrought throughout much of the 19th century. Despite too many woes to mention, Americans embraced a deep and abiding faith in progress, believing they could conquer a continent, tame the forces of nature and make rivers do their bidding. Out of the unseemly competition to bring the Mississippi to heel, there emerged a consensus that the proper way to accomplish this was to straightjacket

continued into June.

To make matters worse, the South received some of the heaviest rains in memory. The levee near Greenville, Miss., broke on April 21, flooding the western portion of the state 30 feet deep in places. An overflow near Angola, La., a week later provided the Old Man a new outflow down the channel of the Atchafalaya River to the sea, flooding out thousands in the process. In New Orleans, a coterie of wealthy bankers forced the state of Louisiana to purposely dynamite a levee in the delta on April 29, supposedly to save the city. In all, floodwaters swept over 27,000 square miles, driving away almost a million people, most of them poor, many of them black. More than 300,000 had to be rescued from rooftops. The water had indeed busted through clear down to Plaquemines.

Randy Newman's song sums up exceedingly well what happened next — what you might expect in a disaster:

*President Coolidge come down in a
railroad train
With a little fat man with a notepad in
his hand
The President say, "Little fat man isn't
it a shame what the river has done
to this poor crackers' land"*

A bit of untruth there, as Calvin Coolidge never visited the floodlands, despite numerous pleas that he do so. The little fat man with the notepad is spot on, though, a rueful reflection of the way the wealthy and powerful joined forces with the politicians and bureaucrats to maintain the status quo in the lower Mississippi. Blacks near Greenville were forced to stay and sandbag, often at gunpoint, to guarantee they would provide sharecroppers' labor when the land dried out. New Orleans bankers largely reneged on their pledge to fully repay the poor "crackers" of the delta for destroying their levee, leaving six feet of water in the streets of Evangeline. Keeping a lid on the lies and deceit, none other than Herbert Hoover presided over the recovery effort, placing himself at the center of national consciousness just as a presidential election was coming along.

The mess — political, social, and material — the river left behind was far too large for any number of fat men with little notepads in their hands. Blacks, seeing the masks of civility torn from elite white faces by the disaster, began to slip away in ever-increasing numbers, accelerating a "Black Diaspora" that would make Chicago the future home of the blues, rather than the delta. Meanwhile, the poor crackers wrought cruel revenge on the bankers by lining up solidly in support of Huey Long, the worst political nightmare New Orleans ever experienced. American politics would never be the same.

And what of the Old Man? Barry almost forgets the river in unwinding his twisted tale of political and social revenge. But still the river flowed, rearranging its channels, probing the levees, patiently awaiting another charge

of waters to reclaim the valley it had created, no matter how many cities and farms impinged. Human creations, human dreams, they come and go, but a river such as the Mississippi is forever. The Old Man remains a relentless power, a never-resting potential to undo what humankind has constructed along its unstable shores. The water rolls on.

Faith in progress being what it is, America's engineers have naturally told themselves that control of the river is more than a laudable goal; it is a guaranteed achievement. We've made mistakes before, we admit (maybe), but this time we've got the Old Man boxed up proper. What with refortified levees and a system of locks and canals stretching almost the entire Mississippi's length, it is difficult to argue that the river even continues to exist. Engineering has reduced the Old Man to a series of placid pools, connected by carefully impounded streams. The once-mighty Mississippi has become nature's pet kitten — except of course when it rains a lot, as it did in 1993. The levees broke; for weeks the Midwest endured a sixth Great Lake. At moments such as that, the lie we tell ourselves is once again exposed. We can control nature maybe 99 percent of the time, but we will pay very heavily for that tiny margin of failure.

We study history to learn from our mistakes, supposedly. I suspect this is the reason we ignore such mistakes as the Great Flood of 1927. We do not wish to admit their potency. Early in the 21st century, too many folks have a stake in believing we can make one of the world's largest rivers into a tame highway ever under our control. Farmers desperately want the Army Corps of Engineers to complete the task of straightening, walling, taming; the Army Corps wants so much to oblige — this is what it does best. Consequences? We may destroy the river as an ecosystem, obliterating habitat for thousands of plant and animals species, but what of that? We're talking progress here. We're talking dreams, the ultimate dreams of Western humankind: nature at our bidding, nature turning us a tidy profit. We possess an amazing capacity to tell ourselves some whoppers.

The Great Flood is a fact of history that will not go away. Neither will the river, no matter how fancy our engineering. Immediately after the 1927 flood receded, Congress appropriated funds enabling the Army Corps to implement a new management strategy. The Corps rethought the 19th century plans for river management, electing to retain some of the Mississippi's natural outlets, thereby relieving pressure at key points when waters ran high. More importantly, the Corps dug a series of cutoffs in the vicinity of Greenville to straighten a 150-mile stretch of river, allowing the channel to deepen and improve flow efficiency.

So far so good, maybe. Seventy-five years after the Great Flood, there has been no repeat of the unparalleled disaster. Even when the Upper Mississippi overflowed its levees at several points in 1993, the lower corridor experienced no flooding problems. But consider this: In that brief time period, the Mississippi has reclaimed 50 miles of the channel straightened by the Corps — one-third of that engineering marvel lost to the ever-patient, ongoing waters. The river also shows very discouraging signs of shifting outlet channels. With just a little effort, the Mississippi will be rushing down the Atchafalaya corridor, leaving the old channel past New Orleans as a minor outlet. Rivers may be leveed into place, but they still make their own decisions in the longest run.

The Great Flood of 1927 persists as a part of the nation's subjective consciousness, whether our standard histories wish to acknowledge the fact or not. Treated as a human tragedy, the flood is a tale of stoic endurance in the face of implacable nature, a disaster that altered our perceptions, exposed our weaknesses, inflamed our inhumanities to one another. Whether the story recalled packs enough punch to instruct us is another question. Even with 1927, 1993 and a dozen similar tragedies filed in collective memory, we continue to believe we can tell water what to do. Songs and stories can tell us different. ▢

Robert Kuhn McGregor, an environmental historian at the University of Illinois at Springfield, is a regular contributor to the magazine.

ILLINOIS BELOW GROUND AND ABOVE

Two books explore the state's physical and cultural landscapes

GEOLOGIST'S EYE *What the land hides*

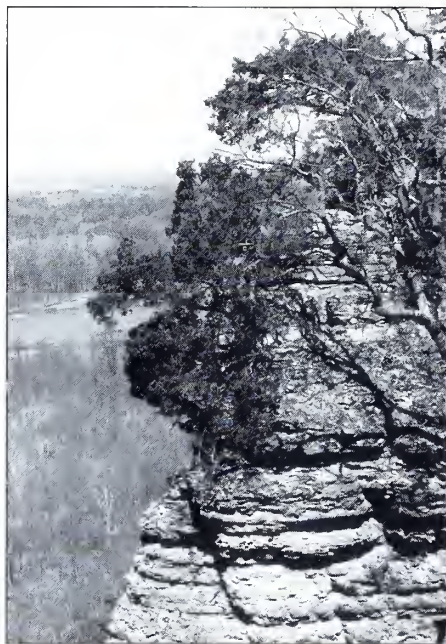
by Ryan Reeves

Photographs by Raymond Wiggers

Too many people, Raymond Wiggers writes, believe Illinois is flat and boring, a locale where nothing important happened until Abraham Lincoln decided to run for Congress. But such thinking, he contends, is “patent nonsense.” The land itself is of great variety and importance.

A scientist, Wiggers has written *Geology Underfoot in Illinois*, and he wants his readers to know Illinois’ dramatic story, a tale that stretches back more than a million years and encompasses waterfalls, canyons, inland seas, meteorite craters and, yes, prairie.

Geology, published by Mountain Press in Missoula, Mont., is, for the greater part, a guidebook. Each chapter details a small slice of the state, typically one or two counties. Unlike many guidebooks, however, Wiggers has a narrative to tell about the land and how it was formed. He removes readers from the present, placing them in the same spot in



View from Inspiration Point. The flat-bedded Bailey limestone stands in the foreground; beyond it lies the valley of the Big Muddy River.

both the distant past and future. At one point, he even asks his fellow time travelers to consider life as a grain of sand on Lake Michigan’s shoreline, and imagine as that grain of sand becomes part of Lake County’s dunes.

Time and again, Wiggers asserts the Illinois landscape is not “just a flat cloud-dappled expanse.” To prove his point, he traverses the length and breadth of the state, pointing to the “twilight recesses, secret windings through layered rock and the splashing sounds of dripping water” this land so abundantly offers — and hides from — its inhabitants.

Some of the wonders Illinois reveals are to be found in regions the glaciers never touched, namely the bluffs of Saline County’s Garden of the Gods and Pope County’s Bell Smith Springs’ canyon in the southern section of the state, and the canyons of Jo Daviess County at the northwest corner.

Though these are not places typically associated with the whole of Illinois’ topography, Wiggers assures his readers that they “define the Illinois landscape every bit as much as the prairies.” Yet Wiggers never discounts the importance of the prairies and the flatter sections of the state, which hold their secrets, too. For example, today’s relatively



The Pine Hills Escarpment in the Shawnee National Forest in Jackson County

tame Sangamon River runs above the Mahomet River, an ancient waterway so large that the Mississippi was its tributary. Some of the more obvious, yet subtle distinctions of the state's midsection are the moraines and kames left as reminders of the plodding powers of the glaciers, and of a time when the human impact on the land was miniscule.

Though he admits, "we live in a world where the entire record of human existence is the slimmest footnote of the story," he includes that story, occasionally moving to a time when people make hills from waste drawn out of coal mines and trash cans.

In looking at Illinois' geologic past, Wiggers unabashedly unseats the myth of Illinois being "nothing but

cornfields and crowded expressways." And the consciousness he elicits in his reader is, quite clearly, meant to be a greater appreciation of this land. As he warns, "however much we shape the earth, it shapes us more."

Through a geologist's eye, a drive through even the flattest sections of the state becomes cause for excitement. □

TRAIL GUIDE

What has been preserved

by Beverley Scobell

Photographs by Walter and George Zyznieuski

For more than 12,000 years, Native Americans walked trails along the Rock River in Rock Island County. Black Hawk and his people were the last. Today, 208 acres bear the name of the Sauk's heroic chief. That state historic site includes four miles of trail along the river and through hardwood forest, all of it posted with descriptions of the natural and cultural history and the geology of the area.

Black Hawk State Historic Site is one of 135 nature areas described in a new book by the Zyznieuski brothers, Walter and George. *A Guide to Illinois Nature Centers and Interpretive Trails* is scheduled to be released by Southern Illinois University Press this spring.

In addition to state parks, the guide offers descriptions of trails and/or centers located in county or municipal parks, forest preserves, wildlife refuges, the Shawnee National Forest, and private and



A trail sign at Forest Glen County Preserve south of Danville in Vermilion County. Several programs, including Pioneer Kids and Young Explorers Day Camp, are geared toward children.



The Fall Creek Rest Area south of Quincy in Adams County has two trails. The lower trail takes visitors by this waterfall on the way to an 1855 stone arch bridge that is listed on the National Register of Historic Places.

not-for-profit properties. Having walked each trail they describe, the writers identify those that are short and suited for families, as well as trails that are more rugged.

Many of the parks, they say, are isolated ecological "islands" that offer the perfect getaway. For example, the Crabtree Nature Center in River Forest, which is part of the Forest Preserve District of Cook County, features a visitors center with exhibits and programs, nature and interpretive trails, a restored prairie, marsh and wetlands and 265 bird species. Programs include wildflower identification, a bird day and a pond life excursion.

In addition to hours of operation and driving directions, the Zyznieuskis let readers know of regulations that might affect their visit, such as whether pets are allowed or picnicking is permitted.

To help plan an outing, the guide includes contact numbers and in some cases Web sites. □

Hilary Frost-Kumpf

She served on the steering committee charged with assisting volunteers from the American Institute of Architects who evaluated the capital city (see Illinois Issues, December, page 15). The AIA sent a team of experts in economic revitalization, historic preservation, urban planning and architecture. The Regionall Urban Design Assistance Team issued its report last month, including an assessment of the aesthetics and functional linkages of downtown Springfield and the Capitol complex.

Frost-Kumpf, who coordinates the Community Arts Management concentration at the University of Illinois at Springfield, talked with Peggy Boyer Long about some of the team's conclusions and recommendations. This is an edited version of that conversation.

Q. From your perspective, what were the key conclusions the design team came up with?

One was that there has really been fragmented planning in the downtown. There has been insufficient concern about the aesthetics of downtown. They point particularly to the state Capitol, but also to several other places. They point out that some 40 percent of our downtown is made up of parking, and a lot of that is open, uninteresting-looking surface-level parking. They are concerned about linkages between the various entities downtown. So, a lot of their suggestions have to do with how we create proper relationships between one space and another.

Q. How did they rate this state capital, in terms of presenting a front door to who we are?

Not well. They are concerned that we are not putting our best foot forward. Some have noted that if all of the United States were separate countries, Illinois would be the 14th wealthiest. Is this what we want our capital to look like? They made comparisons in the report to Madison and to a couple



of other state capitals. I would suggest Austin is another that we could add to a list of capitals that have done better in terms of thinking about what people see, and what we want to represent us.

Q. Downtown is important to folks, I think, because of the new Abraham Lincoln Presidential Library and Museum, and because of the state money that has been offered to work on the area around the Old State Capitol. What did they suggest?

They addressed what has been called the "Vista" project [an idea to create open space] in that block on the north side of the square between the Old State Capitol and the Lincoln Presidential Library and Museum. Their suggestion was that the buildings on the north side of the square be maintained. They felt that providing four walls for the Old State Capitol block was important. They pointed to a tremendous loss in terms of the architecture of downtown. They pointed to a potential loss of economics and tax income that would come from the loss of those buildings. Then their suggestion was that on the other side of those buildings [to the north] there be more infill development. They certainly were not interested in the idea of clearing it all down and creating a park. And the infill they were talking about was mixed use — retail, housing,

Q. What are they seeing in the current Capitol campus and what are they suggesting?

They're seeing a lot of parking lots. They're seeing that beautiful old structures are being aesthetically diminished by newer buildings and parking lots that were created in a haphazard fashion. We are not really reflecting the value and importance of the Capitol of the state of Illinois. If you drive to it, from many views and many sides, the first impressions are of these wide-open parking lots — and seemingly little interest in what the pedestrian faces as he or she walks to get to what ought to be a sacred building to the citizens of Illinois.

Q. It's not merely the aesthetics, then, it's making a coherent statement about the importance of the seat of government?

Yes. And they have a number of suggestions about ways to do that. Probably the most controversial would be taking down the Stratton office complex [to the west of the Capitol]. Their concern was that if you're going to spend \$60 million to \$80 million for improvements anyway, then it would be better to create a campus around the Capitol. They also talked about the redevelopment of Capitol Avenue, the approach to the east side of the state Capitol. They had a number of ideas. One is making it one way. Another is creating what they call a "vocabulary" of treatment in terms of sidewalks, street surfacing, lighting, trees, the signage that would go along that way, so that you would be honoring the view of the state Capitol.

Q. What do you see happening?

Any complex urban development always means a lot of players coming to the table. But the team challenged the city to try to have some of these pieces in place by 2009, which is the 200th anniversary of Lincoln's birthday. □

SHIFTS AT THE TOP

The Illinois Supreme Court appointed **Cynthia Cobbs** director of the Administrative Office of the Illinois Courts. She succeeds **Joseph Schillaci**, who has been director since May 1997. He resigned to pursue business interests.

Cobbs is the first woman and the first African American to head the office, which is the administrative arm of the court. An attorney with the office since 1997, she had been its chief legal counsel since 1999 and had been serving as administrator for the Illinois Courts Commission. She began her career with the court as a judicial law clerk and later chief clerk to Supreme Court Justice Charles Freeman from 1989 to 1997.

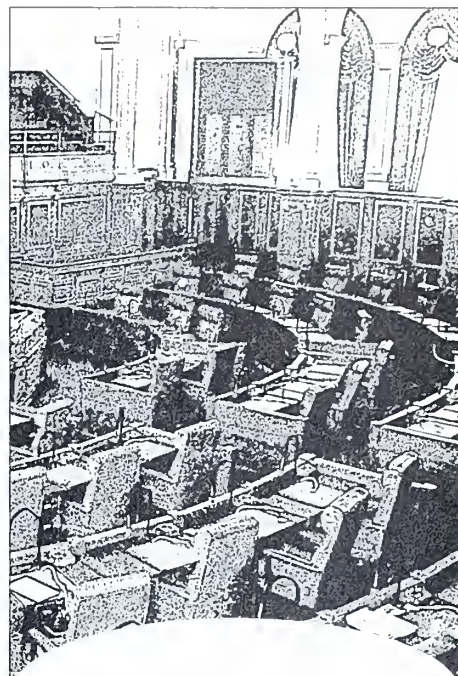
H onors

Planned Parenthood/Chicago Area honored **Irving Harris**, longtime Chicago businessman and benefactor of reproductive rights and early childhood development causes, with its first Dr. Marvin Rosner Award for Lifetime Achievement.

While chairman of the Pittway Corp. in 1982, Harris helped found the Ounce of Prevention Fund, which now serves thousands of families, to promote the well-being of children and adolescents. Among its major programs is Parents Too Soon, which strives to deter teen pregnancy and support adolescent parents.

The award is named for the late Dr. Rosner, who performed the first legal abortion in Illinois in 1971, the day after a federal court struck down the Illinois ban on first trimester abortion. He believed, and argued at public hearings, that access to safe and legal abortion was a public health issue.

In 1995, *Illinois Issues* named Harris one of the magazine's 10 recipients for that year's Award for Extraordinary Public Service (see *Illinois Issues*, November 1995, page 5).



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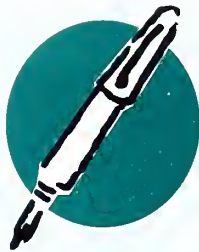
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Madeleine Doubek



A suburban newspaper examines the growing regional drug problem

by Madeleine Doubek

Police found 17-year-old Andy Davidson slumped inside a running car parked in a Rolling Meadows condominium complex last January. He was dead.

A "friend" who had done drugs with the Rolling Meadows High School student the night before panicked when he awoke from a drug stupor but Andy did not, sources told the *Daily Herald*.

The friend drove his dead companion to the parking lot and left him.

Other friends say Andy began experimenting with drugs as a freshman, trying marijuana, LSD, cocaine and, eventually, heroin. He had been in drug counseling before his death and counselors told his mother, Kathy Davidson, he was doing better. "He just wasn't a bad guy," she says of her dead son, who made the honor roll in junior high. "He was one of the good ones. He just made a few mistakes."

Too many suburban teens and young adults are making mistakes with drugs.

The *Daily Herald* is examining the tragic trend with an ongoing series, "The Hidden Scourge." The newspaper found that in 2000 and 2001 at least 14 northwest and west suburban teens and young adults have died, in part, because of heroin or club drug use. In the first six weeks of this year alone, three teenagers, including Davidson, died senselessly. Every single one must have danced around their living rooms as toddlers, or swung and smacked the T instead of the ball in T-ball, or picked

Suburban users have more disposable income to experiment with snortable heroin, and club drugs are more readily available.

dandelions for their mothers. Every single one leaves unending heartbreak behind.

Middle-class and affluent suburban families are suffering in silence and shame as they deal with the aftermath of their children's addiction. Reaction to the series from parents, former and current addicts and treatment providers was so strong, the newspaper hosted a forum attended by 700 people.

Yet, in some ways, the story is an old one. For generations, teens and young adults have played with drugs. They are lured by the risk of illegality and the euphoric feelings the drugs produce. They see friends who have experimented and lived to tell. Suburban users have more disposable income to experiment with snortable heroin, and club drugs are readily available.

The growing drug use is creating new stereotypes: Teens and young adults looking to "nod off" on heroin hop in their SUVs and drive to Chicago's West

Side where a \$10 bag of heroin can be purchased in less than a minute. Teens take the hallucinogenic stimulant Ecstasy or swig the depressant GHB in a juice or water bottle. But users usually don't know if the pills really contain Ecstasy, or only Ecstasy. And heroin's cheap price and higher purity are pushing people quickly into addiction.

These drugs are difficult for parents and police to detect. Users take heroin and don't come home until the drug is gone. Ecstasy, GHB and other club drugs do not produce the tell-tale odors that alcohol and marijuana do.

A state law that took effect in January makes it possible to punish those caught with small amounts of club drugs under the same Class X felony heroin and cocaine users and dealers face. That may have some deterrent effect on suburban users, but experts argue this problem cannot be solved by laws alone.

They say parents will need to educate themselves about these volatile drugs and talk to their children daily. Carol Falkowski, director of research communications at Hazelden Foundation, a renowned treatment facility, says parents should watch for changes in their teen's friends, hobbies, sleeping, eating and hygiene patterns. They should monitor mood swings and act if their child begins lying or stealing.

St. Charles resident Scott McDonald, a 24-year-old recovering addict, lied and stole. He continued using heroin as nine of his friends died. McDonald overdosed himself several times, once coming to in a portable bathroom in downtown Chicago to discover that all of his belongings, except his pants, had been stolen.

"If you think it can't happen to your son or daughter, your brother or sister or your mom or dad, you're sorely mistaken," he warned his suburban neighbors not long ago. "While we have a chance to do something about it, I pray we do, before we lose anybody else." □

Madeleine Doubek is assistant metro editor/projects & politics for the Daily Herald, a suburban newspaper.

Charles N. Wheeler III



Second thoughts are warranted on the governor's final spending plan

by Charles N. Wheeler III

In proposing a \$52.8 billion budget for the fiscal year starting July 1, Gov. George Ryan issued a warning to the Illinois General Assembly: Go beyond my bottom line, and I'll veto the entire budget.

"You can take that to the bank," he told lawmakers assembled in joint session to hear his fourth and final State of the State and budget address.

Unlike the upbeat air of Ryan's three previous budget proposals, his spending blueprint for fiscal year 2003 was mostly gloom and doom, cutting almost 4,000 state jobs, slashing health care spending and even paring almost \$60 million in state outlays for elementary and secondary education.

Though painful, the cuts were needed to bring state spending back in line with revenues decimated by recession and the aftermath of the September 11 terrorist attacks, Ryan argued. "If you don't like my suggested reductions in spending, tell me your alternatives," he added. "But remember, at the end of the day, the budget must be balanced. We cannot spend more than our revenues will allow."

Even if lawmakers accept the governor's premise — remember, the state has posted budgetary deficits in 14 of the last 21 years and will do so again in FY 2002 — second thoughts seem particularly warranted in several areas:

Trends aside — and officials actually expect the adult prison population to grow by more than 800 next year — cramming Vienna's 1,100 felons into another prison will exacerbate already serious prison crowding.

- **Mental health.** The governor wants to close a mental health center in Peoria and downsize other facilities in Elgin and Rockford, sending more than 200 residents to other state hospitals or placing them in community settings.

Moving folks out of large state institutions into small group homes may be a sound idea, but, in the past, mentally ill and developmentally disabled residents have been removed from state hospitals before adequate community services were in place. Budget aides say Ryan's plan includes more than \$17 million for community-based treatment for those leaving, but local agencies might wonder whether that's enough.

- **Medicaid.** Ryan wants to extend

health care benefits to the working poor and to expand prescription drug assistance for low-income seniors, all without putting any further strain on the general funds. He's asking federal administrators to allow Illinois to use unspent dollars from KidCare — a health insurance program for low-income youngsters — to provide coverage for their parents.

The feds already have approved SeniorCare, a Ryan proposal to help underwrite the costs of most drugs and medical supplies for those 65 and older with incomes up to twice the federal poverty level, or about \$17,200 for a single person and \$23,220 for a couple. To pay for the program, the budget earmarks \$166 million in tobacco settlement funds and \$27 million in general revenue, which is expected to leverage \$100 million in federal reimbursements.

At the same time, however, Ryan wants to reduce the state's overall Medicaid liability by more than \$500 million by cutting the rates the state pays to such health care providers as doctors, dentists, pharmacists and nursing homes, all the while maintaining coverage for a full range of care. By refusing to pay the full cost of treatment, however, the state runs the risk that some practitioners might refuse to see patients with Medicaid or Family Care coverage. A year ago, for example, Walgreen Co. threatened to reduce pharmacy hours in poor neighborhoods when Ryan tried to slash the fees pharmacies receive for filling Medicaid prescriptions. The drugstore chain relented after budget negotiations produced milder cuts, but an individual doctor well might decide to stop seeing poor patients once the state cuts the fee for an office visit — already well below what a patient would pay out of his or her own pocket — by 10 percent.

- **Prisons.** The governor proposes closing an adult prison in Vienna and a juvenile facility in St. Charles, shipping inmates to other correctional centers.

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- **Prisons.** The governor proposes closing an adult prison in Vienna and a juvenile facility in St. Charles, shipping inmates to other correctional centers.

Budget documents say “moderating population trends” and new prisons opening elsewhere make it possible to shutter Vienna and Valley View, which officials characterize as old, inefficient and costly to maintain. Trends aside — and officials actually expect the adult prison population to grow by more than 800 next year — cramming Vienna’s 1,100 felons into other prisons will exacerbate already serious prison crowding. Indeed, as Ryan prepared to address lawmakers, Department of Corrections officials reported almost 14,000 more inmates than the system — including a new prison at Lawrenceville — was designed to hold. Ironically, despite a building binge that has seen new prisons opened at the rate of almost one a year for the past quarter century, prison crowding is worse now than when the groundbreaking began — some 45 percent above ideal capacity in mid-February, compared to 34 percent in 1978. In the past, corrections officials have worried that crowding

With the mandate removed, and absent the \$62.5 million now earmarked to cover the costs, would local school boards continue to offer bilingual education?

might lead to a federal judge running the prisons, a concern that closing Vienna won’t allay.

- Schools. Ryan wants to eliminate funding for 22 specific education programs and shift the \$500 million savings into general state aid in order to boost the per-pupil foundation level to a record \$5,000. Local school districts, rather than state bureaucrats, should decide how best to use the money, the governor argues.

But some of the targeted programs

were created because lawmakers thought them important enough that all school districts should offer them. Bilingual education, for example, must be provided by law in any school at which 20 or more students speak the same language other than English. Intended to help non-English speakers keep pace, the program consists of English as a second language and native language instruction in academic areas. With the mandate removed, and absent the \$62.5 million now earmarked to cover the costs, would local school boards continue to offer bilingual education, or would non-English speaking kids be on their own?

Other areas merit scrutiny, of course. But as lawmakers examine the fine print of the governor’s proposal, their goal should be clear: to make sure the final product meets the needs of the state’s residents. □

Charles N. Wheeler III is director of the Public Affairs Reporting Program at the University of Illinois at Springfield.

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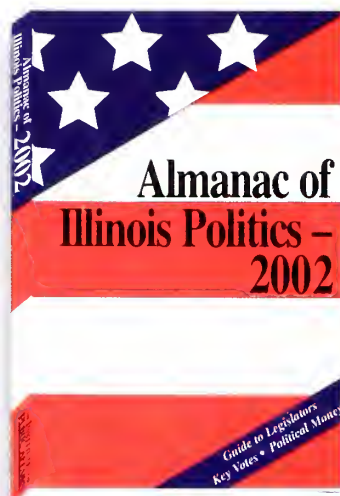
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